

Washington, Saturday, January 19, 1952

TITLE 7—AGRICULTURE

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

[Grapefruit Reg. 153]

Part 933—Oranges, Grapefruit, and Tangerines Grown in Florida

LIMITATION OF SHIPMENTS

§ 933.555 Grapefruit Regulation 153-(a) Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part 933), regulating the handling of oranges. grapefruit, and tangerines grown in the State of Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of grapefruit, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication in the Federal Register (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circum-stances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than January 21, 1952. Shipments of grapefruit grown in the State of Florida, have been subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order, since September 17, 1951, and will so continue until January 21, 1952; the recommendation and supporting information for continued regulation subsequent to January 20 was promptly submitted to the Department after an

open meeting of the Growers Administrative Committee on January 15; such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time thereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such grapefruit; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of grapefruit; and compli-ance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time hereof.

(b) Order. (1) During the period beginning at 12:01 a.m., e.s.t., January 21, 1952, and ending at 12:01 a.m., e.s.t., January 28, 1952, no handler shall ship:

(i) Any grapefruit of any variety, except white seeded grapefruit, grown in the State of Florida, which do not grade at least U. S. No. 2 Russet;

(ii) Any white seeded grapefruit, grown in the State of Florida, which do not grade at least U.S. No. 2

ot grade at least U. S. No. 2;
(iii) Any seeded grapefruit, other than pink grapefruit, grown in the State of Florida, which are of a size smaller than a size that will pack 70 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box;

nailed box;
(iv) Any seedless grapefruit, other than pink grapefruit, grown in the State of Florida, which are of a size smaller than a size that will pack 96 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box;

(v) Any pink seeded grapefruit, grown in the State of Florida, which are of a size smaller than a size that will pack 80 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box;

(vi) Any pink seedless grapefruit, grown in the State of Florida, which are of a size smaller than a size that will

(Continued on p. 593)

CONTENTS	
Agriculture Department See Production and Marketing Administration.	Page
Air Force Department Designation to the Secretary for purpose of implementing the provisions of the Social Security Act amendments of 1950 (see Defense Department). Rules and regulations: Nongovernmental activities of	
present and former personnel and retired officers	597
Alien Property, Office of Notices: Vesting orders, etc.:	
Humbert, Adrien Charles Schering, A. G	627 627
Army Department Designation to the Secretary for purpose of implementing the provisions of the Social Secur- ity Act amendments of 1950 (see Defense Department).	
Civil Aeronautics Administra- tion	
Rules and regulations: Air-traffic control-tower operator certificates; airman identification card	597
Commerce Department See Civil Aeronautics Administra- tion; Federal Maritime Board; National Production Authority; National Shipping Authority.	-
Defense Department See also Air Force Department. Notices:	-
Secretaries of the Army, Navy and Air Force; designations for purpose of implementing the provisions of the Social Security Act amendments of 1950	615
Economic Stabilization Agency See Price Stabilization, Office of; Rent Stabilization, Office of.	
Federal Communications Commission	
Notices: Dominican Republic broadcast	

posed changes, and correc-

tions in assignments.

626



Published daily, except Sundays, Mondays, and days following official Federal holidays, by the Federal Register Division, National Archives and Records Service, General Servtices Administration, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U. S. C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as

amended June 19, 1937.

The Federal Register will be furnished by mail to subscribers, free of postage, for \$1.50 per month or \$15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington 25, D. C.

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REGISTER.

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HANDBOOK OF EMERGENCY **DEFENSE ACTIVITIES**

OCTOBER 1951-MARCH 1952 EDITION

Published by the Federal Register Division, the National Archives and Records Service, General Services Administration

125 PAGES-30 CENTS

Order from Superintendent of Documents, United States Government Printing Office, Washington 25, D. C.

CONTENTS—Continued

Federal Maritime Board	Page
Notices:	•
Kokusaki Line et al.; agree- ments filed for approval Luckenbach Gulf Steamship Co.,	615
Inc.; application to bareboat	•
charter a government-owned,	
war-built, dry-cargo vessel	
for employment in the Gulf/	1
Intercoastal service\	615
Federal Power Commission	
Notices:	,
Hearings, etc.:	. ′
El Paso Natural Gas Co	626
Virginia Gas Transmission	
Corp. and Lynchburg Pipe	_
Line Co	626
Winter Electric Light & Power	
Co	626

Wisconsin River Power Co_

626

CONTENTS—Continued		CONTEN
Housing and Home Finance Agency	Page	Navy Departm Designation to
See Public Housing Administra-		purpose of i
Interior Department		ty Act ame
See Reclamation Bureau. Interstate Commerce Commis-		Price Stabiliza
sion .		Notices: Ceiling prices
Notices: Applications for relief:	•	Hand-Craft Jewel Radi
Asbestos fibre from Vermont		LittleRock
to Baton Rouge and North Baton Rouge, La	628	Sealy Matti Directors of I
Cement from Mobile, Ala., to Woodruff, Fla	628	delegation Region VII
Motor-rail-motor rates:		Act under
Massachusetts, Connecti- cut, and New York	628	Establish prices,
Springfield, Mass., and Harlem River, N. Y. (2	-	93 Request
documents)	628	mation
Southern Pacific Co.; rerouting or diversion of traffic	629	for a prices_
Rules and regulations: Uniform system of accounts for		Region VII Act on ap
steam roads; amortization		ing to
accounting for lemergency carrier facilities	613	sausage Act und
Justice Department		, vised Issue are
See Alien Property, Office of. Labor Department		lations
See also Wage and Hour Division.		Process a justme
Rules and regulations: Minimium wage determina-		facture sales v
tions; paint and varnish in-	, 611	or less
Maritime Administration	, 011	Region XII Act on a
See National Shipping Authority.		emption profit o
National Production Authority Rules and regulations:		Act on
Preference status of delivery orders under the controlled		taining of saus
materials plan:		Act und vised
Automatic conversion of de- livery orders bearing cer-		Establish prices.
tain ratings (CMP Reg. 3, Dir. 2)	609	93
Status of certain orders for controlled materials during		Process reciling
the fourth quarter of 1951		farm 6 Region XII
(CMP Reg. 3, Dir.'3) Status of orders for delivery	609	of propo
of controlled materials dur-		for sales ment
ing September 1951 (CMP Reg. 3, Dir. 1)	609	Rules and regu Automobiles,
Shipments of controlled/ma- terials in the fourth quarter	٠	ternative p
of 1951 which were sched- uled for shipment in the	•	justment fa Basic alcoholi
third quarter of 1951: 😕		tion: Definition o
Basic rules of the controlled materials plan (CMP Reg.		78)
1, Dir. 7) Construction under the con-	609	Distributor domestic
trolled materials plan		spirits an
(CMP Reg. 6, Dir. 3)	610	78, SR 2)
National Shipping Authority Rules and regulations:		Exemption of materials
Marine protection and indem- nity insurance instructions		goods; rutil trates (GO)
under general agency and berth agency agreements;		Manufacturei
vessels insured, terms of in-		price regula determining
surance and insurance premi-	610	certain rub

NTS—Continued

Page

	purpose of implementing the	
	provisions of the Social Securi- ty Act amendments of 1950	•
	(see Defense Department).	
	Price Stabilization, Office of Notices:	
	Ceiling prices at retail:	
	Hand-Craft Bedding Corp Jewel Radio Corp	622 625
	LittleRockFurniture Mfg. Co_	623
18	Sealy Mattress CoDirectors of District Offices, re-	624
	delegation of authority:	
18	Region VII: Act under CPR 7	620
	Establish or adjust celling	UNU
28	prices, etc., under CPR	620
18	Request additional infor-	020
10	mation on applications for adjusted ceiling	,
29	prices	620
	Region VIII: Act on applications pertain-	
	ing to certain items of	000
3	sausage Act under CPR 25, re-	620
	vised Issue area milk price regu-	621
	lations	620
	Process applications for ad-	
	justment filed by manu- facturers having yearly	
	sales volume of \$250,000 or less	621
1	Region XII:	UAI
•	Act on applications for ex- emption filed by non-	
	profit clubs	621
	Act on applications per- taining to certain items	۰
	of sausage	621
	Act under CPR 25, re- vised	621
	vised Establish or adjust ceiling prices, etc., under CPR	
9	93	622
,,,	Process reports or proposed ceiling prices for sales of	
	farm equipment	621
9	Region XIII; process reports	
	of proposed ceiling prices for sales of farm equip-	
٠.	mentRules and regulations:	622
9	Automobiles, new passenger: al-	
	ternative price increase adjustment factor (CPR 1)	598
•	Basic alcoholic beverage regula- tion:	
	Definition of "importer" (CPR	,
	78) Distributors of imported and	601
9	domestic packaged distilled	
	spirits and wines; miscel- laneous amendments (CPR	
.0	78, SR 2)	601
	Exemption of certain industrial materials and manufactured	٠
	goods: rutile ores and concen-	000
	trates (GOR 9) Manufacturers' general celling	608
	price regulation; method for determining ceiling prices for	
_	certain rubber products, ad-	
.0	justments (CPR 22, SR 8)	600
	•	

CONTENTS—Continued	
Price Stabilization, Office of—	Page
Continued Rules and regulations—Continued Retail ceiling prices for con-	
sumer goods; miscellaneous amendments (CPR 7) Production and Marketing Ad-	599
ministration Proposed rule making:	
Milk handling in Tri-State mar- keting area Rules and regulations:	613
Limitation of shipments: Temons grown in California	` 59 4
and Arizona Oranges grown in California or in Arizona	595
Oranges, grapefruit, and tangerines grown in Florida (3 documents) 591, 593	
Public Housing Administration Notices:	, 001
Organization and final delega- tion of authority to offi- cials:	
Central office	627 627
Reclamation Bureau Notices:	٠.
Columbia Basin Project, Washington, Quincy-Columbia Basin Irrigation District;	
public announcement of sale of full-time farm units	615
Rent Stabilization, Office of Rules and regulations: Arizona and Alaska:	_
Hotels	610 610
Rooms in rooming houses and other establishments	610
Securities and Exchange Com- mission Notices:	
Niagara Mohawk Power Corp.; hearing	626
Treasury Department Notices: Secretary of the Treasury; order	
blocking a steel mill belong- ing to Czechoslovakia or na- tionals thereof	614
Wage and Hour Division Notices:	011
Learner employment certifi- cates; issuance to various in- dustries	619
CODIFICATION GUIDE	-
A numerical list of the parts of the of Federal Regulations affected by document published in this issue. Proposed rules opposed to final actions, are identified.	ments
such. Title 7	Page
Chapter IX: Part 933 (3 documents) 591, 593	_
Part 953	594
Part 966Part 972 (proposed)	595 613
Title 14 Chapter I:	
Part 26	597 🛌

CODIFICATION GUIDE—Con.

Title 32	Pago
Chapter VII:	
Part 888	597
Title 32A	
Chapter III (OPS):	
CPR 1, SR 1	598
CDD 7	599
CPR 7CPR 22, SR 8	600
CDD 78	601
CPR 78	601
COP 6	608
GOR 9Chapter VI (NPA):	600
Chapter vi (NPA):	609
CMP Reg. 1, Dir. 7CMP Reg. 3, Dir. 1	609
CMP Reg. 3, Dir. 1	603
CMP Reg. 3, Dir. 2	609
CMP Reg. 3, Dir. 3	609
CMP Reg. 6, Dir. 3	610
Chapter XVIII (NSA):	
INS 1	610
Chapter XXI (ORS):	
RR 1	610
RR 2RR 3	610
RR 3	610
Title 41	
Chapter II:	,
Part 202	611
	022
Title 49	
Chapter I:	-
Part 10	613
	

pack 112 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box.

(2) As used in this section "handler," "variety," and "ship," shall have the same meaning as when used in said amended marketing agreement and order; and "U. S. No. 2," "U. S. No. 2 Russet," "standard pack," and "standard nailed box" shall have the same meaning as when used in the revised United States Standards for Grapefruit (7 CFR 51.191).

(Sec. 5, 49 Stat. 753, as amended; 7 U.S. C. and Sup. 608c)

Done at Washington, D. C., this 17th day of Japuary 1952.

S. R. SMITH, Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 52-782; Filed, Jan. 18, 1952; 8:50 a. m.]

[Orange Reg. 209]

PART 933-ORANGES, GRAPEFRUIT, AND Tangerines Grown in Florida

LIMITATION OF SHIPMENTS

§ 933.556 Orange Regulation 209-(a) Findings. (1) Pursuant to the marketing agreement as amended, and Order No. 33, as amended (7 CFR Part 933), regulating the handling of oranges. grapefruit, and tangerines grown in the State of Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the committees estab-lished under the aforesaid amended marketing agreement and order, and

upon other available information, it is hereby found that the limitation of shipments of oranges, as hereinafter provided, will tend to effectuate the declared

policy of the act.
(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication thereof in the Federal Register (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than January 21, 1952. Shipments of oranges, grown in the State of Florida, have been subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order, since September 15, 1951, and will so continue until January 21, 1952; the recommendation and supporting information for continued regulation subsequent to January 20 was promptly submitted to the Department after an open meeting of the Growers Administrative Committee on January 15; such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time hereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of oranges; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time hereof.

(b) Order. (1) During the period beginning at 12:01 a. m., e. s. t., January 21, 1952, and ending at 12:01 a.m., e. s. t., January 28, 1952, no handler shall ship:

(i) Any oranges, except Temple oranges and Valencia, Lue Gim Gong, and similar late-maturing oranges of the Valencia type, grown in Regulation Area I which grade U. S. No. 2 Bright, U. S. No. 2, U. S. No. 2 Russet, U. S. No. 3, or lower than U. S. No. 3 grade;

(ii) Any oranges, except Temple oranges and Valencia, Lue Gim Gong, and similar late-maturing oranges of the Valencia type, grown in Regulation Area II which grade U.S. No. 2 Russet, U.S. No. 3, or lower than U. S. No. 3 grade;

(iii) Any oranges, except Temple oranges and Valencia, Lue Gim Gong, and similar late-maturing oranges of the Valencia type, grown in Regulation -Area II which grade U. S. No. 2 or U. S.

No. 2 Bright unless such oranges (a) are in the same container with oranges which grade at least U.S. No. 1 Russet and (b) are not in excess of 50 percent, by count, of the number of all oranges in such container;

(iv) Any oranges, except Temple oranges and Valencia, Lue Gim Gong, and similar late-maturing oranges of the Valencia type, grown in Regulation Area I or Regulation Area II which are of a size smaller than 21%6 inches in diameter, measured midway at a right angle to a straight line running from the stem to the blossom end of the fruit, except that a tolerance of 10 percent, by count, of oranges smaller than such minimum size shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in the revised United States Standards for Oranges (7 CFR 51.192): Provided. That in determining the percentage of oranges in any lot which are smaller than 21% inches in diameter, such percentage shall be based only on those oranges in such lot which are of a size 3 inches in diameter and smaller:

(v) Any Valencia, Lue Gim Gong, and similar late-maturing oranges of the Valencia type, grown in Regulation Area I or Regulation Area II which (a) grade U. S. No. 2 Bright, U. S. No. 2, U. S. No. 2 Russet, U.S. No. 3, or lower than U.S. No. 3 grade or (b) are of a size larger , than a size that will pack 200 oranges, packed in accordance with the requirements of a standard pack, in a standard nailed box; or

(vi) Any Temple oranges, grown in Regulation Area I or Regulation Area II, which grade U.S. No. 2 Russet, U.S. No. 3. or lower than U. S. No. 3 grade.

(2) As used in this section, the term "handler," "ship," "Regulation Area I," "Regulation Area II," "Valencia, Lue Gim Gong, and similar late-maturing oranges of the Valencia type" and "Growers Administrative Committee" shall each have the same meaning as when used in said amended marketing agreement and order; and the terms "U.S. No. 1 Russet," "U.S. No. 2 Bright," "U. S. No. 2," "U. S. No. 2 Russet," "U. S. No. 3," "container" and "standard nailed box" shall each have the same meaning as when used in the revised United States Standards for Oranges (7 CFR 51.192).

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C. this 17th day of January 1952.

S. R. SMITH, Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 52-783; Filed, Jan. 18, 1952; 8:50 a.m.]

[Tangerine Reg. 119]

PART 933-ORANGES, GRAPEFRUIT, AND TANGERINES GROWN IN FLORIDA

LIMITATION OF SHIPMENTS

§ 933.557 Tangerine Regulation 119—(a) Findings. (1) Pursuant to the marketing agreement, as amended, and

Order No. 33, as amended (7 CFR Part 933), regulating the handling of oranges. grapefruit, and tangerines grown in the State of Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of tangerines, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted. under the circumstances, for preparation for such effective time, and good cause exists for making the provisions hereof effective not later than January 21, 1952. Shipments of tangerines, grown in the State of Florida, have been subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order, since October 15. 1951, and will so continue until January 21, 1952; the recommendation and supporting information for continued regulation subsequent to January 20 was promptly submitted to the Department after an open meeting of the Growers Administrative Committee on January 15; such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time thereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such tangerines; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of tangerines; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time hereof.

(b) Order. (1) During the period beginning at 12:01 a.m., e. s. t., January 21, 1952, and ending at 12:01 a. m., e. s. t., January 28, 1952, no handler shall ship:

(i) Any tangerines, grown in the State of Florida, that do not grade at least U. S. No. 2;

(ii) Any tangerines, grown in the State of Florida, which grade U.S. Fancy, U. S. No. 1 or U. S. No. 1 Bronze, that are of a size larger than the size that will pack 120 tangerines, packed in accordance with the requirements of a

standard pack, in a half-standard box (inside dimensions 9½ x 9½ x 19½ inches; capacity 1,726 cubic inches):

(iii) Any tangerines grown in the State of Florida, which grade U.S. No. 2, that are of a size larger than the size that will pack 150 tangerines, packed in accordance with the requirements of a standard pack, in a half-standard box (inside dimensions 9½ x 9½ x 19% inches; capacity 1,726 cubic inches); or

(iv) Any tangerines, grown in the State of Florida, that are of a size smaller than a size that will pack a 210 pack of tangerines, packed in accordance with the requirements of a standard pack, in a half-standard box (inside dimensions 9½ x 9½ x 19% inches; capacity 1,726 cubic inches) except that the minimum size of such tangerines shall be 25/10 inches with a total tolerance for variations incident to proper sizing of 20 percent, by count, of tangerines that are smaller than 25/16 inches in diameter of which not more than one-half, or a total of 10 percent by count of the tangerines, are smaller than 21/16 inches.

(2) As used in this section, "handler," "ship," and "Growers Administrative Committee" shall have the same meaning as when used in said amended marketing agreement and order; and "U. S. Fancy," "U. S. No. 1," "U. S. No. 1 Bronze," "U. S. No. 2," "210 pack" and "standard pack" shall have the same meaning as when used in the United States Standards for Tangerines (7

CFR 51.416).

(Sec. 5, 49 Stat. 753, as amended; 7 U.S. C. and Sup. 608c)

Done at Washington, D. C., this 17th day of January 1952.

[SEAL] S. R. SMITH. Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 52-784; Filed, Jan. 18, 1052; 8:50 a. m.]

[Lemon Reg. 418]

PART 953-LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 953.525 Lemon Regulation 418—(a) Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953; 14 F. R. 3612), regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the pub-

lic interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the Federal Register (60 Stat. 237; 5 U.S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of lemons, grown in the State of California or in the State of Arizona, are currently subject to regulation pursuant to said amended marketing agreement and order: the recommendation and supporting information for regulation during the period specified herein was promptly submitted to the Department after an open meeting of the Lemon Administrative Committee on January 16, 1952; such meeting was held, after giving due notice thereof to consider recommendations for regulation, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter specified; and compliance with this section will not require

(b) Order. (1) The quantity of lemons grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., January 20, 1952, and ending at 12:01 a. m., P. s. t., January 27, 1952, is hereby fixed as follows:

any special preparation on the part ofpersons subject thereto which cannot be

completed by the effective time thereof.

(i) District 1: 30 carloads;(ii) District 2: 220 carloads;

(iii) District 3: unlimited movement.
(2) The prorate base of each handler who has made application therefor, as provided in the said amended marketing agreement and order, is hereby fixed in accordance with the prorate base schedule which is attached to Lemon Regulation 417 (17 F. R. 384) and made a part hereof by this reference.

—(3) As used in this section, "handled," "handler," "carloads," "prorate base," "District 1," "District 2," and "District 3," shall have the same meaning as when used in the said amended marketing agreement and order.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 17th day of January 1952.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable
Branch, Production and Marketing Administration.

[F. R. Doc. 52-848; Filed, Jan. 18, 1952; 9:06 a. m.]

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[Orange Reg. 407]

PART 966—ORANGES GROWN IN CALIFORNIA OR IN ARIZONA

LIMITATION OF SHIPMENTS

§ 966.553 Orange Regulation 407—(a) (1) Pursuant to the provisions of Order No. 66, as amended (7 CFR Part 966; 14 F. R. 3614), regulating the handling of oranges grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Orange Administrative Committee, established under the said amended order, and upon other available information, it is hereby found that the limitation of the quantity of such oranges which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U.S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of or-anges, grown in the State of California or in the State of Arizona, are currently subject to regulation pursuant to said amended order; the recommendation and supporting information for regulation during the period specified herein was promptly submitted to the Department after an open meeting of the Orange Administrative Committee on January 17, 1952; such meeting was held, after giving due notice thereof to consider recommendations for regulation, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time thereof.

(b) Order. (1) Subject to the size requirements in Orange Regulation 408 (7 CFR 966.552; 17 F. R. 385), the quantity of oranges grown in the State of California or in the State of Arlzona which may be handled during the period beginning 12:01 a. m., P. s. t., January 20, 1952, and ending at 12:01 a. m., P. s. t.,

January 27, 1952, is hereby fixed as follows:

(i) Valencia oranges. (a) Prorate District No. 1: No movement;

(b) Prorate District No. 2: Unlimited movement;

(c) Prorate District No. 3: No movement;

(d) Prorate District No. 4: No movement.

(ii) Oranges other than Valencia oranges. (a) Prorate District No. 1: 400 carloads;

(b) Prorate District No. 2: 450 car-loads:

(c) Prorate District No. 3: Unlimited movement;

(d) Prorate District No. 4: Unlimited movement.

(2) The prorate base of each handler who has made application therefor, as provided in the said amended order, is hereby fixed in accordance with the prorate base schedule which is attached hereto and made a part hereof by this reference.

(3) As used in this section, "handled," "handler," "varieties," "carloads," and "prorate base" shall have the same meaning as when used in the said amended order; and the terms "Prorate District No. 1," "Prorate District No. 2," "Prorate District No. 3," and "Prorate District No. 4" shall each have the same meaning as given to the respective terms in \$966.107, as amended (15 F. R. 8712), of the current rules and regulations (7 CFR 966.103 et seq.), as amended (15 F. R. 8712).

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 603c)

Done at Washington, D. C., this 18th day of January 1952.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable
Branch, Production and Marketing Administration.

PECRATE BASE SCHEDULE

[12:01 a. m., P. s. t., Jan. 20, 1952 to 12:01 a. m., P. s. t., Jan. 27, 1952]

ALL CHANGES OTHER THAN VALENCIA CRANGES

Prorate District No. 1

	rorate base
Handler Total	100.0000
A TI C Timinam	
A. F. G. Lindcay	1.6147
A. F. G. Porterville	
Ivanhoe Cooperative Accociation	
Placentia Cooperative Orange Asso-	•
clation	.0000
Sandilanda Fruit Co	6075
Dollemyer & Son, W. Todd	6630
Earlibest Orange Association	
Elderwood Citrus Association	7937
Exeter Citrus Association	
Exeter Orange Growers Accorda-	
tion	
Exeter Orchards Accordation	1.5372
Hillside Packing Acceletion	
Ivanhoe Mutual Orange Associa-	
tlon	
Klink Citrus Accoclation	_ 3.6375
Lemon Cove Accordation	1.9437
Lindcay Citrus Growers Association	_ 2_6305
Lindsay Cooperative Citrus Associa-	
tion	
Thurson Thurs Association	0000
Lindsay Fruit Association	
Lindsay Orange Growers Associa-	
tion	8276

RULES AND REGULATIONS

PRORATE BASE SCHEDULE—Continued ALL ORANGES OTHER THAN VALENCIA ORANGES-/ continued

Prorate District No. 1-Continued

2707000 200700 1707 2 00212	
	rate base
Handler (p	ercent)
Naranjo Packing House Co	1.2731
Orange Cove Citrus Association	4.0319
Orange Packing Co	1.3855
Orange Packing CoOrosi Foothill Citrus Association	1.5677
Paloma Citrus Fruit Association	.9607
Rocky Hill Citrus Association	2.4003
Sanger Citrus Association	4.3746
Sequoia Citrus Association	.9109
Stark Packing Corp	3. 1349
Visalia Citrus Association	1.9152
Waddell & Son	1. 2641
	1. 7996
Baird-Neece Corp	
Beattle Association, D. A.	. 6745
Grand View Heights Citrus Associa-	0 1010
tion	3.1919
Magnolia Citrus Association	1.9646
Porterville Citrus Association, The_	1. 2970
Richgrove-Jasmine Citrus Associa-	
tion Strathmore Cooperative Associa-	1.8503
Strathmore Cooperative Associa-	
tion	. 85 44
Strathmore District Orange Asso-	
ciation	1.5859
Strathmore Packing House Co	2. 1616
Sunflower Packing Association	3.6986
Sunland Packing Association	2.3721
Terra Bella Citrus Association	1. 7368
Tule River Citrus Association	. 8382
Euclid Ave. Orange Association	.3410
Euclid Ave. Orange Association	1. 1458
Lindsay Mutual Groves	1. 9604
Martin Ranch	
Orange Cove Orange Growers	2.9328
Woodlake Packing HouseAnderson Packing Co	2.5862
Anderson Packing Co	. 5124
Baker Bros	. 2671
Barnes, J. L	0202
Botkins Fred A	.0720
Bear State Packers, Inc	. 1734
Bear State Packers, IncCalifornia Citrus Groves, Inc., Ltd.	2.8659
Chess Co Meyer W	. 2013
Clemente, Lorenzo	. 1736
Collum, J. B.	.0134
Darby, Fred J	.0363
Darling, Curtis	.0009
Dubendorf, John	. 1369
Edison Groves CoEvans Bros. Packing Co	.0000
Evans Bros. Packing Co	.1145
Haas, W. H Harding & Leggett	. 1779
Harding & Leggett	2.3685
Independent Growers, Inc.	1.6143
Independent Growers, Inc. Kim, Charles N. Kroells Packing Co.	.0581
Kroelis Packing Co	1.9243
Larson, Louis	.0173
Lo Bue Bros	.8501
Maas, W. A.	.0757
Marks, W. & M	.4162
	.0000
Nicholas, Joe	0024
Paramount Citrus Association	.1705
Powell, John W	.0222
Pondoinh Marketing Co	2. 4038
Randolph Marketing Co	. 5904
Torry Flour H	
Terry, Floyd H Toy, Chin	
Zaninovich Brother, Inc.	. 1318 . 0206
	. 0296
Prorate District No. 2	. 0296
Prorate District No. 2	. 0296 1. 2323
·	. 0296 1. 2323
Total	. 0296 1. 2323 100. 0000
A. F. G. Alta Loma	. 0296 1. 2323 100. 0000
A. F. G. Alta LomaA. F. G. Corona	. 0296 1. 2323 100. 0000 1875 . 2369
A. F. G. Alta LomaA. F. G. CoronaA. F. G. Fullerton	. 0296 1. 2323 100. 0000 - 1875 - 2369 - 0292
A. F. G. Alta Loma A. F. G. Corona A. F. G. Fullerton A. F. G. Orange	. 0296 1. 2323 100. 0000 1875 . 2369 . 0292 . 0420
A. F. G. Alta Loma A. F. G. Corona A. F. G. Fullerton A. F. G. Orange A. F. G. Riverside	. 0296 1. 2323 100. 0000 - 1875 - 2369 - 0292 - 0420 - 4663
A. F. G. Alta Loma	. 0296 1. 2323 100. 0000 . 1875 . 2369 . 0292 . 0420 . 4663 . 0453
A. F. G. Alta Loma	. 0296 1. 2323 100. 0000 . 1875 . 2369 . 0292 . 0420 . 4663 . 0453 . 7329
A. F. G. Alta Loma A. F. G. Corona A. F. G. Fullerton A. F. G. Orange A. F. G. Riverside A. F. G. Santa Paula Eadington Fruit Co., Inc. Hazeltine Packing Co.	. 0296 1. 2323 100. 0000 . 1875 . 2369 . 0292 . 0420 . 4663 . 0453
A. F. G. Alta Loma A. F. G. Corona A. F. G. Fullerton A. F. G. Orange A. F. G. Riverside A. F. G. Santa Paula Eadington Fruit Co., Inc Hazeltine Packing Co Placentia Cooperative Orange Asso-	. 0296 1. 2323 100. 0000 1875 2369 0292 0420 4663 0453 7329 0793
A. F. G. Alta Loma	. 0296 1. 2323 100. 0000 . 1875 . 2369 . 0292 . 0420 . 4663 . 7329 . 0793 . 6075
A. F. G. Alta Loma A. F. G. Corona A. F. G. Fullerton A. F. G. Orange A. F. G. Riverside A. F. G. Santa Paula Eadington Fruit Co., Inc Hazeltine Packing Co Placentia Cooperative Orange Asso-	. 0296 1. 2323 100. 0000 1875 2369 0292 0420 4663 0453 7329 0793

Azusa Citrus Association_____ 1.2486

PRORATE BASE SCHEDULE—Continued ALL ORANGES OTHER THAN VALENCIA ORANGEScontinued

Prorate District No. 2. Continued

Prorate District No. 2-Contin	ued	
Pro	rate base	
Handler ' (p	ercent)	
.Covina Citrus Association	1.8215	•
Covina Orange Growers Association	.5119	-
Damerel-Allison Association	1.0936 1.2817	٠
Glendora Mutual Orange Associa-	1, 201 (
tion	.5882	
Valencia Heights Orchard Associa-		
tion Gold Buckle Association La Verne Orange Association	. 2669	•
Gold Buckle Association.	2.9222	:
Anaheim Valencia Orange Associa-	4. 1656	
	.0154	
fullerton Mutual Orange Associa-		٠,
tion	.4177	1
La Habra Citrus Association	.1722	
Yorba Linda Citrus Association,	0000	3
The El Cajon Valley Citrus Association.	.0623 .5636	
Escondido Orange Association	.2185	1
Alta Loma Heights Citrus Associa-	,	
tion	.4216	
Citrus Fruit GrowersEtiwanda Citrus Fruit Association_	. 8084	į.
Etiwanda Citrus Fruit Association	.1441	1
Mountain View Fruit Association Old Baldy Citrus Association	.1199	1
Rialto Heights Orange Growers	.4093	
Upland Citrus Association	2. 4648	
Upland Heights Orange Association	1. 2772	1
Consolidated Orange Growers	.0271	- 1
Frances Citrus Association	.0000	
Garden Grove Citrus Association	.0291	
Goldenwest Citrus Association,	****	(
TheOlive Heights Citrus Association	.1659 .0465	
Santa Ana-Tustin Mutual Citrus	. 0100	
Association	.0162	7
Santiago Orange Growers Associa-		1
. tion	. 1503	1
Tustin Hills Citrus Association	.0204	
Villa Park Orchard Association,	0070	1
The Bradford Bros., Inc.	.0372	,
Placentia Mutual Orange Associa-	• 2200	-
tion	.2083	٠
tion Placentia Orange Growers Associa-		•
tion	.2100	
Yorba Orange Growers Association	. 0625	•
Corona Citrus Association	1.0337 .5753	
Orange Heights Orange Association_	3. 2687	1
Crafton Orange Growers Associa-	0.200,	i
tion	1.1142	j
East Highlands Citrus Association.	. 4038	1
Redlands Heights Groves	.7427	3
Redlands Orangedale Association_ Rialto-Fontana Citrus Association_	1.0850 4977	- 5
Break & Son, Allen	000=	,
Bryn Mawr Fruit Growers Associa-	. 2885	ĵ
tion	1.1206	Ō
Mission Citrus Association	1.1412	(
Redlands Cooperative Fruit Asso-		1
Redlands Orange Growers Associa-	1. 5763	1
tion	.9842	3
Redlands Select Groves	.5296]
Rialto Orange Co	.5371	9
Southern Citrus Association	. 8230	9
United Citrus Growers	.7792	1
Zilen Citrus Co	. 4515	3
Arlington Heights Citrus Co	1.2264]
Brown Estate, L. V. W	1.8697 2.0835	1
Highgrove Fruit Association	. 5491	,
Krinard Packing Co	2.0114]
McDermont Fruit Co	1. 7288	3
Monte Vista Citrus Association	1.4778	
National Orange Co	1.3193	7
Riverside Citrus Association	.1592	1
Riverside Heights Orange Growers	e coás	
Association	1.0399	1

PRORATE BASE SCHEDULE—Continued ALL ORANGES OTHER THAN VALENCIA ORANGES—continued

Prorate District No. 2-Continued

	rate base	Prora	to baso
Handler (p.	ercent)		cent)
Covina Citrus Association	1.8215		3,5233
Covina Orange Growers Association Damerel-Allison Association	.5119 1.0936	Claremont Citrus Association	.8620
Glendora Citrus Association	1. 2817	College Heights Orange & Lemon Association	1,6387
Glendora Mutual Orange Associa-	2, 20-1		1, 2942
tion	.5882		1.7587
Valencia Heights Orchard Associa-		Wainut Fruit Growers Association.	6433
tion \	. 2669		1.0841
Gold Buckle Association	2.9222	Escondido Cooperative Citrus Asso-	
La Verne Orange Association	4. 1656	ciation	. 0479
Anaheim Valencia Orange Associa-	0154	San Dimas Orange Growers Associa-	
tion	. 0154		1.0800
Fullerton Mutual Orange Associa-	. 4177	Canoga Citrus Association	.0980
La Habra Citrus Association	.1722	North Whittier Heights Citrus Asso-	1000
Yorba Linda Citrus Association,	• 4 • 7 5	san Fernando Heights Orange Asso-	.1668
The	. 0623	ciation	.4966
El Cajon Valley Citrus Association.	. 5636	Sierra Madre-Lamanda Citrus Asso-	1 2000
Escondido Orange Association	. 2185	ciation	. 1355
Alta Loma Heights Citrus Associa-	-	Camarillo Citrus Association	.0054
tion	.4216	Fillmore Citrus Association	. 9506
Citrus Fruit Growers	. 8084	Ojai Orange Association	. 7518
Etiwanda Citrus Fruit Association.	.1441		1. 1372
Mountain View Fruit Association Old Baldy Citrus Association	.1199	Rancho Sespe	.0011
Rialto Heights Orange Growers	.4093 .3312	Santa Paula Orange Association	.1005
Upland Citrus Association	2.4648	Tapo Citrus Association	.0101
Upland Heights Orange Association	1. 2772	Ventura County Citrus Association	.0489
Consolidated Orange Growers	.0271	Murphy Ranch Co	.0030
Frances Citrus Association	.0000	Bryn Mawr Mutual Orange Associa-	. 0024
Garden Grove Citrus Association	.0291	tion	. 5543
Goldenwest Citrus Association,		Chula Vista Mutual Lemon Asso-	******
The	. 1659	clation	. 0869
Olive Heights Citrus Association.	.0465	Euclid Ave. Orange Association	2. 6733
Santa Ana-Tustin Mutual Citrus	0100	Foothill Citrus Union, Inc.	.4050
Association	.0162	Golden Orange Groves, Inc.	.1766
Santiago Orange Growers Associa-	1500	Index Mutual Association	.0081
Tustin Hills Citrus Association	.1503 0204	La Verne Cooperative Citrus Asso-	1
Villa Park Orchard Association,	.0204	Ciation	8,5038
The	.0372	Mentone Heights Association	. 5909
Bradford Bros., Inc	.2258	Olive Hillside Groves Redlands Foothill Groves	. 0086 2. 4861
Placentia Mutual Orange Associa-	*****	Redlands Mutual Orange Associa-	2, 4001
tion	.2083		1. 1780
Placentia Orange Growers Associa-		Ventura County Orange & Lemon	
tion	.2100	Association	.3200
Yorba Orange Growers Association.	. 0625	Whittier Mutual Orange & Lemon	
Corona Citrus Association	1.0337	Association	. 0185
Jameson Co	. 5753	Allec Bros	.0030
Orange Heights Orange Association_ Crafton Orange Growers Associa-	3.2687	Babijuice Corp. of California	.3950
tion	1. 1142	Banks, L. M.	.0085
East Highlands Citrus Association.	.4038	Becker, Samuel Eugene Book, Maynard C	.0101
Redlands Heights Groves	.7427	Borden Fruit Co	.0003
Redlands Orangedale Association	1.0850	Cherokee Citrus Co., Inc.	.9438
,	4977	Chess Co., Meyer W.	4370
Break & Son, Allen	. 2885	Dunning Ranch	.2101
Bryn Mawr Fruit Growers Associa-		Evans Bros. Packing Co	. 8104
tion	1. 1206	Gold Banner Association	1.6903
Mission Citrus Association	1.1412	Granada Packing House	.1730.
Redlands Cooperative Fruit Asso-	4 5500	Highgrove Citrus Co	. 1203
ciation	1. 5763	Hill Packing House, Fred A	.7940
Redlands Orange Growers Associa-	0940	Holland, M. J	.0157
tionRedlands Select Groves	.9842 .5296	Knapp Packing Co., John C	.0880
Rialto Orange Co	.5371		1.7227
Southern Citrus Association	. 8230	Orange Hill Groves	. 2030
United Citrus Growers	7792	Panno Fruit Co., Carlo	• 0659
Zilen Citrus Co.	. 4515	Paramount Citrus Association	. 1024
Arlington Heights Citrus Co	1.2264	Placentia Orchard Co	.0807
Brown Estate, L. V. W	1.8697	Placentia Pioneer Valencia Grow-	
Gavilan Citrus Association	2.0835	ers Association	.0438
Highgrove Fruit Association	. 5491	Prescott, John A.	.0072
Krinard Packing Co	2.0114	Ronald, P. W.	.0412
McDermont Fruit Co	1.7288	San Antonio Orchards Co	1. 4593
Monte Vista Citrus Association	1.4778	Stephens & Cain	2086
National Orange Co Riverside Citrus Association	1.3193		2. C484
	1592	Western Fruit Growers, Inc	3. 2636
Riverside Heights Orange Growers Association	1. 0399	- IN D Dog to 000: That You 40	1050
Sierra Vista Packing Association	.7715	[F. R. Doc. 52-862; Filed, Jan. 18,	1007;
Sierra Vista Facking Association	• • • • • • •	11:35 a. m.]	

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Civil Air Regs., Amdt. 26-5]

PART 26—AIR-TRAFFIC CONTROL-TOWER
OPERATOR CERTIFICATES

AIRMAN IDENTIFICATION CARD

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 15th day of January 1952.

The currently effective Civil Air Regulations provide that a control tower operator must possess an airman identification card issued by the Administrator in order to exercise the privileges of his airman certificate.

It has been brought to the attention of the Board that there are several airports used jointly by civil and military aircraft. In compliance with the requirements of the Civil Aeronautics Act of 1938, as amended, the military control tower operators at such fields must be certificated by the CAA in order to control the civilian air traffic. Although such control tower operators are now required to possess airman identification cards, the Board considers that sufficient identification is obtained by the use of regularly issued armed forces identification cards.

This amendment, therefore, provides that military control tower operators who control civil and military aircraft jointly shall be deemed to have met the airman identification card requirements if they have in their possession currently valid armed forces identification cards.

Since this amendment is minor in nature and imposes no additional burden on any person, notice and public procedures hereon are unnecessary, and the amendment may be made effective without prior notice.

In consideration of the foregoing the Civil Aeronautics Board hereby amends Part 26 of the Civil Air Regulations (14 CFR Part 26, as amended) effective immediately:

By amending § 26:37 to read as follows:

§ 26.37 Identification. After December 15, 1951, the holder of a certificate issued under the provisions of this part shall not exercise the privileges conferred by the certificate unless he has in his possession a current airman identification card which duly describes him. This identification card may be obtained from the Administrator who shall prescribe its form and the manner of applying for it. A currently valid armed forces identification card shall satisfy the requirements of this section in the case of a person on active duty with a branch of the armed forces of the United States who, as his assigned military duty, acts as a control tower operator with respect to military and civil aircraft.

(Sec. 205, 52 Stat. 984; 49 U. S. C. 425. Interpret or apply secs. 601, 602, 52 Stat. 1007, 1008; 49 U. S. C. 551, 552)

By the Civil Aeronautics Board.

[SEAL]

M. C. Mulligan, Secretary.

[F. R. Doc. 52-768; Filed, Jan. 18, 1952; 8:49 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VII—Department of the Air Force

Subchapter G-Personnel

PART 888—NONGOVERNMENTAL ACTIVITIES OF PRESENT AND FORMER PERSONNEL AND RETIRED OFFICERS

The caption of Part 888 is changed to read as set forth above. Regulations contained in §§ 888.1 to 888.4 (15 F. R. 381; 32 CFR, 1950 Supp., 888) are revised as follows:

Sec.

888.1 Policy.

888.2 Present military and civilian perconnel.

888.3 Former military and civilian percon-

888.4 Retired regular officers.

888.5 Reserve and National Guard officers. 888.6 Affidavits.

AUTHORITY: §§ 888.1 to 883.6 icsued under R. S. 161, sec. 202, 61 Stat. 500, as amended; 5 U. S. C. 22, 171a. Statutory provisions interpreted or applied are cited to text in parentheses.

DERIVATION: AFR 30-30.

Policy—(a) Governmental duties and private affairs. All personnel of the Air Force should conduct their private affairs in a manner which does not contravene the letter or spirit of the statutes listed in § 888.2. Accordingly, such persons should at all times avoid transacting private or Government business under circumstances where there may be a conflict of interest between their governmental duties and their private affairs. An officer or employee, military or civilian, should not perform his official duties or use information or connections growing out of his official position in business transactions directly or indirectly involving the Government in a manner or under circumstances which will result in personal gain.

(b) Former personnel and retired officers. Former personnel and retired officers of the Air Force will not be permitted to deal with the Air Force in any matter, including claims, if the person concerned personally considered the matter or gained personal knowledge of the facts thereof while he was employed or performed duty with the Air Force. The same restriction is applicable to a person who is not included among such former personnel if he is directly associated in the particular matter involved with such former personnel and retired officers.

§ 888.2 Present military and civilian personnel—(a) Statutory provisions. The attention of Air Force personnel is called to the following statutory provisions which prohibit any officer or employee, under criminal penalty, from:

 Receiving or agreeing to receive money or thing of value, directly or indirectly, for procuring or aiding to procure for any person a Government contract.

(Sec. 1, 62 Stat. 694; 18 U.S. C. Sup. 216)

(2) Receiving or agreeing to receive, directly or indirectly, compensation for services rendered by himself or another in relation to any proceeding, contract, or claim before any department or agency where the United States is directly or indirectly interested.

(Sec. 1, 62 Stat. 637, as amended; 18 U.S. C. Sup. 231)

(3) Acting as agent or attorney in prosecuting any claim against the Government or assisting in the prosecution of any such claim otherwise than in the proper discharge of his official duties.

(Sec. 1, 62 Stat. 697, as amended; 18 U. S. C. Sup. 283)

(4) Transacting business as an officer or agent of the United States with any corporation, firm, or partnership in the profits of which he is directly or indirectly interested.

(Sec. 1, 62 Stat. 703; 18 U.S. C. Sup. 434)

(5) Receiving, from any source other than the Government, any compensation in connection with his Government services.

(Sec. 1, 62 Stat. 793; 18 U.S. C. Sup. 1914)

(b) Technical experts and consultants.

(1) Certain employees are wholly or partially exempt from some or all of the foregoing provisions by virtue of their appointment as technical experts and consultants pursuant to the following specific statutory provisions:

(i) Sec. 710 (c) of the Defense Pro-

duction Act of 1950.

(Sec. 710, 64 Stat. 819, as amended; 50 U.S.C. App. Sup. 2160)

(ii) Executive Order 10182, November 21, 1950.

(15 P. R. 8013; 3 CFR, 1950 Supp.)

(iii) Sec. 303 (b) of the National Security Act of 1947, as amended.

(Sec. 303, 61 Stat. 507, as amended; 5 U. S. C. Sup. 171j)

(iv) Sec. 406 (d) of the Mutual Defense Assistance Act of 1949.

(Sec. 406, 63 Stat. 718: 22 U.S. C. Sup. 1577)

(2) The fact that certain officers and employees of the Air Force may be exempt from the operation of any of the foregoing statutes or from the provisions of sec. 284, 62 Stat. 698; 18 U. S. C. 284 should not be regarded as relieving these persons from the high standards expected of all public servants.

(c) Additional compensation from private sources. Sec. 4 (f) of the Universal Military Training and Service Act (sec. 4 (f), 62 Stat. 603, as amended; 50 U. S. C. App., 454 (f)) permits selectees and Reservists ordered to active duty to continue to receive compensation from private sources which these persons were earning prior to being ordered to active military service.

§ 888.3 Former military and civilian personnel—(a) Counsel, attorney, or agent. Under the provisions of sec. 284, 62 Stat. 693; 18 U. S. C. 284 it is unlawful for former personnel, within two years after termination of their incumbency, to prosecute or act as counsel, attorney, or agent for prosecuting any claim against the United States which involves any subject matter directly connected with which the person concerned was employed or performed duty.

(b) Prosecute or aid in prosecution. Under the provisions of R. S. 190; 5 U. S. C. 99, it is unlawful for any officer or employee of a department to prosecute or aid in the prosecution, for a period of two years after termination of his Government connection, of any claim against the Government which was pending in any of the executive departments during the period of his Government employment. However, the effect of sec. 113, Pub. Law 9, 82d Cong., Renegotiation Act of 1951, and the similar provision of the Renegotiation Act as amended (61 Stat. 133, as amended; 50 U.S. C. 1191 (j)) is to suspend operation of R. S. 190 insofar as it affects the Air Force employees (and those of other departments and agencies specified in the act or designated by the President) employed during the period ending December 31, 1953.

(c) Commission, payment, or gift. Under the provisions of sec. 412, 63 Stat. 721; 22 U. S. C. 1584, it is unlawful for former personnel, within two years after the termination of their incumbency, to solicit, accept, or offer to accept any commission, payment, or gift in connection with the procurement of equipment, materials, or services under that act.

§ 888.4 Retired regular officers—(a) 'Aiding or assisting in prosecution of claim. A retired officer retains his status as an officer of the United States and may not engage in any activity incompatible with such status. A retired Air Force officer, not on active duty, is prohibited, within two years after his retirement, by sec. 283, 62 Stat. 697, as amended; 18 U. S. C. 283, from aiding or assisting in the prosecution of a claim against the United States which involves the Air Force. Retired officers of any of the Armed Forces are prohibited at all times by sec. 283, 62 Stat. 697, as amended; 18 U. S. C. 283, from aiding or assisting in the prosecution of a claim against the United States involving any matter:

(1) These officers personally considered while on active duty, or

(2) The facts concerning which these officers gained personal knowledge while on active duty.

(b) Procurement of contracts and sales. The provisions of sec. 216, 62 Stat. 694; 18 U.S. C. 216 prohibit officers of the Army, Navy, and Air Force, not on active duty, from receiving or agreeing to receive money or thing of value. directly or indirectly, for procuring, or aiding to procure, Government contracts for another. In addition, recent appropriation acts have forbidden payments from appropriated funds to a Regular officer on the retired lists of the Army, Navy, Air Force, Marine Corps, Coast Guard, Coast and Geodetic Survey Service, or United States Public Health Service for a period of two years after retirement, who for himself or for others, is engaged in the selling of, contracting for the sale of, or negotiating for the sale of any war materials or supplies to the Department of Defense, the Coast Guard, the Coast and Geodetic Survey Service, and the United States Public Health Service.

(c) Direct participation in Government contract activities. The statutory plan is, generally, to limit retired officers in the prosecution of claims against the Government and to prohibit retired officers from directly participating in Government contract activities of the type described in paragraph (b) of this section.

(1) It is considered that the spirit of the statutes prohibiting participation in Government contract activities extends beyond any mere bargaining which may precede the execution of a contract or modification thereof and includes any activity by a retired officer on behalf of a prospective contractor which reasonably and directly is aimed toward forming the basis for a contract with the Government.

(2) It is not the intent of these statutes to preclude a retired officer from accepting employment in private industry solely because his employer is a contractor with the Government. Therefore, these statutes should not be construed as applicable to activities which are only remotely connected with claims or contractual matters as distinguished from direct participation in obtaining a contract with the Government on behalf of a prospective contractor.

§ 888.5 Reserve and National Guard officers. Reserve and National Guard officers not on active duty are not, by sole reason of their status as such, considered to be officers of the United States. However, Reserve and National Guard officers on active duty are con> sidered to be officers of the United States and at the termination of any period of active duty, these officers become former military personnel within the meaning of § 888.1 and § 888.3. Reserve and National Guard officers who are receiving retirement pay are not considered to be officers or employees of the United States within the meaning of the statutes cited in § 888.4 and, consequently, the provisions of § 888.4 do not apply to these persons.

§ 888.6 Affidavits—(a) Obtaining affidavit. If in any matter, including claims, any representative of the Air Force has reason to believe he is dealing with a person acting for himself or another person who may come within any of the prohibitions set forth in this part, the Air Force representative will obtain from such person an affidavit stating:

(1) His former connection with the Air Force or other Government department or agency, if any, and the date of termination thereof.

(2) Whether his duty in such former connection related to the subject matter of the nature involved in the matter under consideration.

(3) Whether he gave any personal attention to the matter under consideration or gained any personal knowledge of the facts thereof while connected with the Government.

(4) Whether he is, or will become associated in the particular matter with, any person who has personally considered or gained personal knowledge of the facts thereof while connected with the Government.

(5) Whether his activity in the matter under consideration is prohibited by the statutes cited in this part,

(6) Any other information which the Air Force representative believes pertinent.

(b) Filing affidavit. If, from the statements in such affidavit and from such other information as the Air Force representative may have in his possession, a violation of this policy or status as set forth in this part is not involved, the affidavit will be filed with the papers in the case and the matter will be processed in the usual manner. Where a clear violation of the policy and statutes as set forth in this part is involved, the Air Force representative will refuse to consider the matter as long as the prohibited conduct is involved therein and the record will so indicate.

(c) Further consideration and decision. In any instance where a doubt exists concerning whether or not the conduct of the former Government employee is prohibited by statute or contravenes the policy of § 888.1, the matter will be submitted for consideration and decision to the Commanding General, Air Matériel Command, and, if considered advisable by that officer, to the Assistant Secretary of the Air Force (Matériel).

[SEAL] K. E. THIEBAUD, Colonel, U. S. Air Force, Air Adjutant General.

[F. R. Doc. 52-720; Filed, Jan. 18, 1952; 8:45 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 1, Revision 1, Amdt. 1 to Supplementary Regulation 1]

CPR 1—New Passenger Automobiles
ALTERNATIVE PRICE INCREASE ADJUSTMENT
FACTOR

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 1 to Supplementary Regulation 1 to Ceiling Price Regulation 1, Revision 1, is hereby issued.

STATEMENT OF CONSIDERATIONS

Supplementary Regulation 1 to Ceiling Price Regulation 1, Revision 1, prescribed the procedure whereby manufacturers of passenger automobiles could make the optional adjustment of their ceiling prices in accordance with the provisions of section 402 (d) (4), of the Defense Production Act of 1950, as amended, the so-called Capehart amendment. A manufacturer applying under this supplementary regulation computed a recalculated price increase adjustment factor which reflected permissible cost increases up to July 26, 1951. This factor was then applied to ceiling prices in effect on September 7, 1951, the date of the issuance of CPR 1, Revision 1, in which automobile manufacturers were given an adjustment for labor and material cost increases comparable to adjustments

previously granted other manufacturers by CPR 22 and CPR 30.

Automobile manufacturers who have already taken the adjustment provided for in CPR 1, Revision 1, have requested permission to adjust their current ceiling prices rather than their prices in effect on the date of the issuance of CPR 1, Revision 1.

Accordingly, this amendment to SR 1. CPR 1, Revision 1, authorizes automobile manufacturers to propose an alternative price increase adjustment factor which will be applied to their current ceiling prices to reflect permissible increases under this regulation.

A number of representatives of members of the automobile industry were consulted and their recommendations have been considered in the preparation of this amendment.

AMENDATORY PROVISIONS

Section 2 is amended by adding the following sentences: "Instead of the price increase adjustment factor determined as set forth in section 7 (b) of CPR 1, Revision 1, you may calculate and obtain approval of a price increase adjustment, factor to be applied to your ceiling prices established under CPR 1, Revision 1. This price increase factor must reflect the recalculations set forth in this regulation."

(Sec. 704, 64 Stat. 816, as amended; 50 U.S.C. App. Sup. 2154)

Effective date. This amendment is effective January 17, 1952.

EDWARD F. PHELPS, Jr., Acting Director of Price Stabilization.

JANUARY 17, 1952.

[F. R. Doc. 52-828; Filed, Jan. 17, 1952; 4:59 p. m.]

[Ceiling Price Regulation 7, Amdt. 13]

CPR 7-RETAIL CEILING PRICES FOR CONSUMER GOODS

MISCELLANEOUS AMENDMENTS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization General Order No. 2 (16. F. R. 738), this Amendment 13 to Ceiling Price Regulation 7 (16 F. R. 1897) is hereby issued.

STATEMENT OF CONSIDERATIONS

The accompanying amendment to Ceiling Price Regulation 7 makes minor changes along with corrections of clerical errors in the regulation.

The amendment also revises the section concerning retail sales of matched sets to permit sales of sets of articles as a unit whether a retailer purchased the set from the manufacturer, a distributor, or other person who assembled the articles to be sold as a unit. Under the original regulation sales at retail of matched sets, without offering the components separately, was permitted only where a retailer purchased the set directly from a manufacturer. There are cases in which wholesalers and distributors may legally assemble sets of articles for sale as a unit. This amendment removes the limitation of the section as to purchases from manufacturers only.

The technical nature of this amendment made consultation with industry representatives unnecessary and impracticable.

AMENDATORY PROVISIONS

Ceiling Price Regulation 7 is hereby amended in the following respects:

1. Section 37 (a) is amended by inserting after the phrase, "Group IV—Categories 1001–1030," the following groups:

Group V—Categories 880-883, 890-891, 905, 915-916, 922-923.

Group VI-Categories 871-876, 878,

84, 892, 894, 906, 908, 919-921, 924, 940, 942, 950, 984-985, 1050-1058, 1062-1064.

Group VII—Categories 860-861, 877, 893, 895, 901-904, 907, 917-918, 941, 943-946, 951, 970-983, 1059-1061, 1070.

2. Section 37 (b) (5) is amended by deleting the word "and" from the phrase, "and, Group IV (1001–1030) over 109 percent," and inserting after that phrase the following: "Group V (880-883, 890-891, 905, 915-916, 922-923) over 72 percent; Group VI (871-876, 878, 884, 892, 894, 906, 908, 919-921, 924, 940, 942, 950, 984-985, 1050-1058, 1062-1054) over 101 percent; and, Group VII (860-861, 877, 893, 895, 901-904, 907, 917-918, 941, 943-946, 951, 970-983, 1059-1061, 1070) over 128 percent,"

3. Section 37 (c) is amended by deleting the following categories: "105A, 105B, 105C and 105D."

- 4. Section 55 (d) is amended by substituting for the parenthetical sentence beginning "(Matched sets, however ____)" the following parenthetical sentence: "(Sets of articles, however, if designed for sale at a unit price, and so purchased by you, may be sold at a unit price; matched groupings of furniture articles (covered by categories 701-752) may also be sold at a unit price as suites or sets, if all the articles in the groupings were produced by the same manufacturer; and sets priced pursuant to section 39 (c) may be sold at a unit price.)"
- 5. Appendix B is amended in the following respects:
- a. The title to Category 111A is amended to read as follows: "Category 111A—Boys' Work Clothes."
- b. The title to Category 113 is amended to read as follows: "Category 113-Boys' Play Clothes."
- c. In Category 201-Women's Sportswear and Beachwear insert the following sentence preceding the first sentence of the text: "This category does not include items covered by Category 405-Women's and Growing Girls' Shoes."
- d. In Category 218-Women's and Children's Handbags insert the following sentence preceding the first sentence of the text: "This category does not include items covered by Category 201-Women's Sportswear and Beachwear."
- e. The title to Category 308—Infants' Metal and Woolen Wheel Goods and Other Metal Goods is amended to read as follows: "Category 308-Infants' Metal and Wood Wheel Goods and Other Metal Goods."

f. In Category 615-Laces and Trimmings, delete "edgings" from the examples of articles included in that category.

g. In subparagraph 7 of Category 908-General Housewares, delete the phrase "Food Preparation Devices" and substitute therefor the word, "Deleted."

h. In subparagraph 8 of Category 903 the title, "Kitchen Aids and Gadgets and Kitchen Tools," is amended to read "Food Preparation Devices—Kitchen Aids and Gadgets and Kitchen Tools."

i. In Category 970—Precious Metal Jewelry, delete "Men's Jewelry" from the examples of articles included in that

category.

j. In Category 1016-Girls' and Toddlers' Jackets substitute the phrase, "covered by categories 112 and 112A" for the phrase, "covered by categories 1012 and 1012A."

6. Appendix C is amended as follows: a. In the column headed "Category you are pricing," delete "851," "852," "852A," "853" and "854" and the comparable categories following each of these categories and substitute therefor the following:

. busing Longra CojeCora	1st	24	3 d	4th	<i>t</i> th	6th	7th
851 852 852A 854	852 851 854 854 803	801 801 803A 803A	802 802 802	883 883 871	751 751		

b. Opposite 860 in the column headed "Category you are pricing" delete "876" from the column headed "First" and substitute therefor "861" and delete "874" from the column headed "Second."

c. Opposite 876 in the column headed "Category you are pricing" delete "860" from the column headed "Fourth."

d. Opposite 878 in the column headed "Category you are pricing" delete "860" from the column headed "Fourth" and substitute therefor "984." Delete "984" from the column headed "Fifth" and substitute therefor "985" and delete "985" from the column headed "Sixth."

e. Opposite 881 in the column headed "Category you are pricing" delete "992" from the column headed "First" and

substitute therefor "882."

f. Opposite 884 in the column headed "Category you are pricing" delete "860" from the column headed "Fourth" and substitute therefor "984." Delete "984" from the column headed "Fifth" and substitute therefor "985" and delete "985" from the column headed "Sixth."

g. Opposite 1002 in the column headed "Category you are pricing" delete "1003" from the column headed "Fourth" and substitute therefor "1010"; from the column headed "Fifth" delete "1010" and substitute therefor "1011," from the column headed "Sixth" delete "1011."

h. Opposite 1005 in the column headed "Category you are pricing" delete "1003" from the column headed "Eighth."

i. Opposite 1017 in the column headed "Category you are pricing" delete "1003" from the column headed "Eighth."

7. Appendix D is amended as follows: a. In Category Group I correct the phrase "Over 65 including 58," to read "Over 65 including 68."

b. In Category Group III delete "853" and all markups appearing opposite that figure.

c. In Category Group IV delete "1003" and all markups appearing opposite that figure.

8. Appendix E is amended as follows:

a. Delete "853" from the column headed "Category you are pricing," and delete the markup "75.1" which is opposite 853 in the column headed "Percentage markup on cost."

b. Delete "1003" from the column headed "Category you are pricing," and delete the markup "68.3" which is opposite 1003 in the column headed "Percent-

age markup on cost."

9. Appendix F is amended as follows: a. In Group III delete "853" from the column headed "Category you are pricing" and delete the multiplier .937 which is opposite 853 in the column headed "Multiplier."

b. In Group IV delete "1003" from the column headed "Category you are pricing" and delete the multiplier .957 which is opposite 1003 in the column headed "Multiplier."

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment is effective January 22, 1952.

MICHAEL V. DISALLE, Director of Price Stabilization.

JANUARY 17, 1952.

[F. R. Doc. 52-829; Filed, Jan. 17, 1952; 4:59 p. m.]

[Ceiling Price Regulation 22, Amdt. 4 to Supplementary Regulation 8]

CPR 22—Manufacturers' General Ceiling Price Regulation

SR 8—METHOD FOR DETERMINING CEILING PRICES FOR CERTAIN RUBBER PRODUCTS

ADJUSTMENTS UNDER SECTION 402 (D) (4)
OF THE DEFENSE PRODUCTION ACT OF 1950,

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 783), this Amendment 4 to SR 8 to CPR 22, is hereby issued.

STATEMENT OF CONSIDERATIONS

Supplementary Regulation 8 to CPR 22 provides a method of establishing prices for sales by manufacturers of certain specified rubber commodities. The regulation makes it mandatory that manufacturers of these commodities, who are otherwise subject to CPR 22, establish their ceiling prices for such rubber goods by applying an industry-wide cost adjustment factor to prices at which they sold those products during base periods specified in the regulation.

SR 17 and SR 18 to CPR 22 make available to manufacturers subject to CPR 22 a recalculation of their CPR 22 ceiling prices based upon individual cost changes in accordance with section 402 (d) (4) of the "Defense Production Act Amendments of 1951." However, SR 17 and SR 18 have not been made applicable to SR

8. Hence, manufacturers of commodities governed by SR 8 have not been accorded the same opportunity afforded other manufacturers who price under CPR 22 of recalculating their ceiling prices using the cost elements and the cut-off dates allowed by the provisions of section 402 (d) (4). These cost adjustments may be significantly different from the weighted industry average provided by SR 8. Under the provisions of the Defense Production Act of 1950, as amended, it is incumbent upon the Director to establish, upon application, ceiling prices for each manufacturer which reflect his pre-Korean price of the commodity adjusted for cost changes to July 26. 1951. The Director finds that the provisions of SR 17 and SR 18 are best adapted to make the necessary adjustments of individual ceiling prices of rubber products governed by SR 8.

This amendment provides that one who elects to use SR 18 to CPR 22 for one SR 8 commodity need not adjust the ceiling prices under SR 18 of those SR 8 commodities which are in a different classification of the Standard Industrial Classification as published by the Bureau of Budget, and which is contained in Appendix D to CPR 22, from that of the SR 8 commodities whose prices he seeks to adjust. This departure from the SR 18 requirement that an application under that regulation must govern a manufacturer's entire business is provided so as to preserve, if a manufacturer so desires, the price relationships resulting from the industry-wide treatment accorded commodities listed in section 4 of SR 8. For the same reason, one who applies for adjustment of his ceiling prices pursuant to SR 17 of any SR 8 commodities, as permitted by this amendment, whether for his entire business or only a unit of production, need not adjust under SR 17 those ceiling prices of SR 8 commodities in a different classification from those commodities whose ceiling prices he. seeks to adjust under SR 17. Conversely, specific provision is made so that one who uses SR 17 or SR 18 as to the commodities priced under CPR 22 but not listed in section 4 of SR 8 need not also, if he does not desire to do so, adjust under SR 17 or SR 18 the ceiling prices of any commodity in the same classification for which an industry cost adjustment factor has been established under SR 8.

Insofar as practicable, the Director has consulted informally with representatives of the industry and has given consideration to their recommendations.

AMENDATORY PROVISIONS

 Section 1 of SR 8 to CPR 22 is hereby amended so that the section now reads:

Section 1. What this regulation does. This supplementary regulation provides a method of computing ceiling prices for manufacturers of certain kinds of rubber products listed in section 4 of this supplementary regulation, by the application of either a specified cost increase factor to the prices in effect in one of the four specified base periods under Ceiling Price Regulation 22, or a speci-

fied factor adjusted in accordance with Supplementary Regulation 2 to Ceiling Price Regulation 22 to ceiling prices in effect under the General Celling Price Regulation. If you are a manufacturer of any rubber product listed in section 4 of this supplementary regulation, you must compute your ceiling prices for such product under this supplementary regulation instead of under Ceiling Price Regulation 22. Although you may not use CPR 22 to determine your ceiling price for any product listed in section 4 of this supplementary regulation, you may, if you wish, use the provisions of SR 17 or SR 18 to CPR 22 to adust your pre-Korean price to reflect your own cost changes to July 26, 1951, for any such product. If you elect to use SR 17 or SR 18 to calculate a new ceiling price for any product listed in section 4 of this supplementary regulation, then you must comply with the provisions of section 6 of this supplementary regulation. This supplementary regulation does not apply to rubber products normally produced and supplied only for military use. All provisions of Ceiling Price Regulation 22, not inconsistent with this supplementary regulation, however, will continue to apply.

2. A new section 6 is added to read as follows:

SEC. 6. Recalculation of ceiling prices. (a) If you manufacture any of the products listed in section 4 of this supplementary regulation, you may recalculate your ceiling prices pursuant to SR 17 or SR 18 to CPR 22. If you so apply under SR 17 or SR 18 for adjustment of your ceiling prices for any commodities listed in section 4 of SR 8, then, notwithstanding the provisions of section 16, as amended, of SR 17 or section 2 (a) (3) of SR 18, you need not adjust the ceiling prices of any other SR 8 commodities which are not in the same classification (of the Standard Industrial Classification published by the Bureau of Budget and contained in Appendix D of CPR 22) as that of the SR 8 commodities, the ceiling prices of which you seek to adjust.

(b) If you apply under either SR 17 or SR 18 to CPR 22 for adjustment of your ceiling prices of any commodity not listed in section 4 of this supplementary regulation but which is governed by Ceiling Price Regulation 22, then, notwithstanding the provisions of section 16, as amended, of SR 17 or section 2 (a) (3) of SR 18, you need not adjust the ceiling prices of any commodities listed in section 4 of SR 8. However, your application must be in accordance with all other provisions of whichever of the two regulations under which you so apply.

(Sec. 704, 64 Stat. 816 as amended; 50 V. S. C. App. Sup. 2154)

Effective date. This amendment becomes effective January 23, 1952.

MICHAEL V. DISALLE, Director of Price Stabilization.

JANUARY 18, 1952.

[F. R. Doc. 52-871; Filed, Jan. 18, 1952; 11:47 a. m.]

[Ceiling Price Regulation 78, Amdt. 2] CPR 78—BASIC ALCOHOLIC BEVERAGE REGULATION

DEFINITION OF "IMPORTER"

Pursuant to the Defense Production Act of 1950, as amended (Pub. Law 774, 81st Cong., Pub. Law 96, 82nd Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 2 to the Basic Alcoholic Beverage Regulation is hereby issued.

STATEMENT OF CONSIDERATIONS

Amendment 1 to Ceiling Price Regulation (CPR) 78 added a definition of "importer" to that regulation which described an importer as one who is the first consignee within the continental United States of the particular item being imported for resale. However, it is common practice for a distributor in the United States to purchase an item from the actual importer (that is, the person to whom the foreign shipper sells for resale in the United States) under an arrangement whereby the actual importer orders the foreign shipper to consign the item directly to the purchasing distributor. This arrangement is both convenient and economical in that it avoids the added cost of transshipment from the actual importer to the purchasing distributor. In addition, such an arrangement benefits the consumer in that it lowers the purchasing distributor's "cost of acquisition" for an item (which includes transportation charges), to which cost the distributor applies his markup to arrive at a ceiling price for that item.

Since, in the situation described above, the purchasing distributor was the first consignee of the item within the continental United States, the definition added to CPR 78 by Amendment 1 resulting in his being considered the importer of the item and, therefore, excluded him from coverage under Supplementary Regulation (SR) 2 to CPR 78. To avoid this result a purchasing distributor would no longer buy on a direct importation basis. Rather, the item would be consigned to the actual importer and then transshipped to the distributor, thus increasing that distributor's "cost of acquisition" which, in turn, would result in higher ceiling prices. Therefore, this amendment changes the definition of "importer" so that the distributor who buys pursuant to a direct importation arrangement is not considered the importer of the item.

Industry representatives have been consulted in the preparation of this amendment and their recommendations have been fully considered. In the judgment of the Director of Price Stabilization the provisions of this amendment are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

AMENDATORY PROVISION

Section 3.1 of Article III of Ceiling Price Regulation 78, as amended (Basic Alcoholic Beverage Regulation), is amended by changing the definition of "Importer" to read as follows:

Importer. An "importer" of an item is the person who (i) orders the imported item from a foreign shipper, (ii) is responsible for payment to the foreign shipper, (iii) actually pays the foreign shipper (or on behalf of whom payment is made to the foreign shipper) and (iv) holds an importer's permit issued under the provisions of the Federal Alcohol Administration Act (except that a monopoly state, if it meets the requirements in subdivisions (i), (ii), and (iii), need not hold an importer's permit for it to be considered an "importer"). For purposes of this definition one who ships an item from Puerto Rico and the Virgin Tislands (belonging to the United States) is a foreign shipper of that item. A person who is the importer of an item is not also to be considered a wholesaler, primary distributing agent, or retailer of that item under the applicable SR unless it is specifically stated in that SR that he is to be considered a wholesaler, primary distributing agent, or retailer.

(Sec. 704, 64 Stat. 816, as amended; 50 U.S.C. App. Sup. 2154)

Effective date. This amendment is effective January 23, 1952.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JANUARY 18, 1952.

[F. R. Doc. 52-872; Filed, Jan. 18, 1952; 11:47 a. m.]

[Ceiling Price Regulation 78, Amdt. 2 to Supplementary Regulation 2]

CPR 78—Basic Alcoholic Beverage Regulation

SR 2—DISTRIBUTORS OF IMPORTED AND DOMESTIC PACKAGED DISTILLED SPIRITS AND WINES

MISCELLANEOUS ALIENDMENTS

Pursuant to the Defense Production Act of 1950, as amended (Pub. Law 774, 81st Cong., Pub. Law 96, 82nd Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 2 to Supplementary Regulation 2 to Ceiling Price Regulation 78 is hereby issued.

STATELIENT OF CONSIDERATIONS

Sales of items purchased under license contracts. The necessity of providing tailored pricing techniques for wholesalers and retailers who purchase domestic whiskey under license contracts was recognized prior to the issuance of Supplementary Regulation (SR) 2 to Celling Price Regulation (CPR) 78. In fact, the reasons set forth in the Statement of Considerations accompanying SR 2 for issuance of that supplementary regulation apply equally to the situation dealt with in this amendment. However, because of the urgent need for immediate issuance of SR 2 and because consideration of the special problems presented by the license contract situations would have delayed that issuance, it was decided to issue SR 2 prior to completion of the study of the license contract problem. That study having been completed, this amendment has been issued to establish wholesalers' and retailers' ceiling prices for items purchased under license contracts.

-A license contract is a contract pur-suant to which a wholesaler or retailer purchases bulk whiskey (that is, whiskey in the barrel) from a distiller at an agreed price per original proof gallon. The contract provides, in all cases, that the distiller is to bottle the whiskey for the purchaser when it reaches a certain age, and that the purchaser is either required or has the option to market the packaged whiskey under the distiller's brand name. If there is no unforeseen slump in the market the wholesaler or retailer makes a greater gross profit on the sales of packaged whiskey purchased under license contracts than he would make on sales of the same item pur-chased in cases. This results from the fact that the wholesaler or retailer buys the whiskey while it is still in the barrel and assumes the market risks until that whiskey reaches the bottling age and. therefore, the price charged him for that whiskey is less than if he bought it packaged and ready for immediate resale. The wholesaler's or retailer's selling price for a particular brand, type and container size of whiskey is customarily the same whether that whiskey is purchased already packaged or pursuant to a license contract.

In the overwhelming majority of cases wholesalers and retailers who buy an item under license contract also buy the same item in packaged form. Even where the particular seller's license contract purchases appear to be sufficient to cover his total requirements of the item, he very frequently finds it necessary to make occasional purchases of the packaged item to cover gaps in, and insure the continuity of, his supply. Since SR 2 already provides satisfactory methods for pricing sales of whiskey purchased in cases, and since (as mentioned above) a seller customarily sells a given item at only one price (whether it is purchased in cases or under license contract), the sections added to SR 2 by this amendment provide that if a wholesaler or retailer has established a ceiling price under SR 2 for sale of an item purchased in cases, that ceiling price is to apply to the same item when purchased under license contract.

Two methods of pricing are provided to cover the minority of cases in which a wholesaler or retailer does not make packaged purchases of the item he buys under license contract. First, if the wholesaler or retailer sold the license contract item during the "base period" specified in SR 2 (May 24 through June 24, 1950, for wholesalers; January 1951, for retailers) and his supplier sold that same item in cases to other sellers, the wholesaler (or retailer), in substance, first determines the percentage markup he would have received over the per case cost of that item in the "base period" (if he had made, case purchases of the item in that period), and then deter-mines his celling price for the license contract item by applying that percentage markup to what it would currently cost him to purchase the same

item in cases. If, however, the wholesaler or retailer was not selling the license contract item during the "base period", the second pricing technique directs him to determine his ceiling price for that item, by first figuring what a current purchase of that item in cases would cost him, and then applying to that cost the percentage markup (figured under SR 2) for another of his items whose per case cost is identical to (or the next lower than) the case cost of the particular license contract item. Since, generally, an individual wholesaler's or retailer's percentage markups are identical on items whose acquisition costs are identical, the results obtained under this latter pricing method are expected to be representative of actual markup experience for license contract items.

Provision is also made for application to the Office of Price Stabilization for the establishment of a ceiling price by a wholesaler or retailer who cannot determine his ceiling price under any other provision for the license contract item he sells. For example, if the seller's supplier does not sell the particular license contract item in packaged form, the seller must apply for a ceiling price. If the seller had established a ceiling price for that license contract item under the General Ceiling Price Regulation, he may continue to sell at that ceiling price until he is notified of his new ceiling price.

Finally, a seller who determines his ceiling price on the basis of another wholesaler's (or retailer's) cost for the "same packaged item", must recalculate his ceiling price whenever that other wholesaler (or retailer) himself-recalculates. The seller is to put the recalculated ceiling price into effect four days after the wholesaler (or retailer) whose cost the seller is borrowing puts his recalculated price into effect. Thus, the seller has time to be put on notice of that wholesaler's (or retailer's) recalculated ceiling price and, in turn, to recalculate his own ceiling price.

Distributors owned or operated by monopoly states are, under the present provisions of section 40 of SR 2, to determine their ceiling prices pursuant to the provisions of the statutes, ordinances, regulations, orders or other official actions of the monopoly state authority last enacted (or taken) before January 26, 1951. This section now covers sales by those distributors of items they purchase under license contracts and coincides with their customary pricing techniques. It is, therefore, unnecessary to make any further provision in this amendment for license contract item sales by monopoly state distributors

Sales to retailers by certain importers and processors. It has been the customary practice of many importers and processors to sell certain items to both wholesalers and retailers. The price at which such importers and processors sell those items to retailers has customarily been the same as the price at which the wholesalers in the same area (to whom they sell) resell to retailers. In fact, the importer or processor and

his local wholesalers may very well compete for the business of the same retailers

As originally issued, SR 2 made no provisions for such sales by importers and processors. Rather, all sales by importers were left under Ceiling Price Regulation (CPR) 31, which only permitted the importers to add a dollarand-cent markup to cost, and the ceiling prices for all sales by processors were frozen under the GCPR. In the situation described above, therefore, importers were required to determine their ceiling prices to retailers by applying a flat dollar-and-cent markup to cost and processors were, with some exception, frozen at their GCPR base period prices, whereas the wholesalers to whom they sold the item determined ceiling prices for sales to the same retailers by applying a percentage markup to cost. Consequently, an importer or processor had a lower ceiling price for sales to retailers than had his wholesalers and, as a result, disruption in the market would shortly have occurred were corrective steps not taken in this amendment.

An analysis of the problem reveals that importers and processors have the same type of costs of operation in connection with their sales to retailers as do wholesalers. Therefore, the percentage markup technique permitted wholesalers is equally well-suited for those wholesale functions of importers and processors. Such a percentage markup pricing method can be permitted without any adverse effect at the consumer level, since the price charged by the importer or processor will in no event exceed the ceiling prices which his wholesalers establish under this supplementary regulation for sales to the same retailers. If, however, importers and processors are not permitted to price in that manner, the effect will be to compel the wholesaler either (1) to lower the price he charges for the item to that of his supplier, or (2) if the wholesaler doesn't reduce his price, to lose customers (who will buy directly from the wholesaler's supplier at the supplier's lower price). In either event, the wholesaler will be placed in a disadvantageous position with respect to that item and will, as a practical matter, be prevented from receiving on it the return which, under/SR 2, it was intended he have the opportunity to realize.

In view of the above, therefore, this amendment adds a section to SR 2 which provides that if an importer or processor sells the same item to both wholesalers and retailers, he is to determine his ceiling price to retailers under this supplementary regulation just as if he were a wholesaler of that item. In essence, therefore, his historical percentage differential between his prices to retailers and his prices to wholesalers will be maintained and his ceiling prices to retailers will be the same as his wholesaler's ceiling prices to the same retailers. Ceiling prices for sales of the particular item to wholesalers and ceiling prices for sales to retailers of an item which the importer or processor does not also sell to wholesalers continue to be determined under CPR 31 or GCPR, as the case may be.

Payment of brokers' compensation. This amendment also adds to SR 2 a provision governing payment of brokers' compensation. All brokers are to be considered agents of the seller and, therefore, any payment made by a purchaser to a broker is to be deducted from the seller's ceiling price otherwise established under SR 2. In no event, therefore, is a purchaser to pay more for an item than the seller's ceiling price for that item. Section 2.5 of the Basic Alcoholic Beverage Regulation (CPR 78) does permit a purchaser to pay a broker's commission in addition to an item's celling price. However, that section was written as a general provision to recognize situations (such as those involved in bulk whiskey transactions controlled by SR 1 to CPR 78) in which it is customary for a broker's commission to be collected in addition to the supplier's price. Since it is not usual, in the sales and purchases of packaged distilled spirits and wines, to add a brokerage commission to the supplier's price, the specific provisions of section 73, added to SR 2 by this amendment, override the conflicting provisions of section 2.5 of the BABR.

FINDINGS OF THE DIRECTOR

In the formulation of this amendment, the Director of Price Stabilization has consulted with industry representatives to the extent practicable and has given full consideration to their recommendations. In the Director's judgment the ceiling prices established by this amendment are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

Every effort has been made to conform this amendment to existing business practices, cost practices or methods, or means or aids to distribution. Insofar as any provisions of this amendment may operate to compel changes in the business practices, cost practices or methods, or means or aids to distribution, such provisions are found by the Director of Price Stabilization to be necessary to prevent circumvention or evasion of this amendment.

As far as practicable the Director of Price Stabilization gave due consideration to the national effort to achieve maximum production in the furtherance of the objectives of the Defense Production Act of 1950, as amended; to parity prices and the other minimum requirements of the law including prices prevailing during the period from May 24, 1950, to June 24, 1950, inclusive; and to relevant factors of general applicability.

AMENDATORY PROVISIONS

Supplementary Regulation 2 to Ceiting Price Regulation 78 is amended in the following respects:

1. Section 1 in Article I is changed to read as follows:

Section 1. What this supplementary regulation does. This supplementary regulation provides methods by which wholesalers, monopoly states, primary distributing agents, retailers and "on-premise licensees" selling imported and domestic packaged distilled spirits and

wines for off-premise consumption are to determine their ceiling prices. In addition it provides a method by which an importer or processor who sells the same item both to wholesalers and retailers is to determine his ceiling price for sales of that item to retailers. If you are one of those sellers you are to determine your ceiling prices under whichever of the following sections apply to you: Wholesalers, sections 20 through 29; primary distributing agents, section 35; monopoly states, section 40; retailers, sections 50 through 66; "on-premise licensees," section 68; and certain importers and processors, section 69. You should also, of course, read the general provisions of this supplementary regulation and the provisions of CPR 78, the Basic Alcoholic Beverage Regulation (BABR), which apply to you. As a result of this supplementary regulation, retail sales of imported packaged distilled spirits and wines by the sellers covered herein and sales to retailers by the importers covered herein are no longer governed by CPR 31. In addition, both wholesale sales of those imported items (by sellers other than importers), and retail and wholesale sales of domestic packaged distilled spirits and wines by the sellers covered herein are no longer governed by the General Ceiling Price Regulation (GCPR).

2. Section 29 is added to Article II to read as follows:

SEC. 29 Wholesalers' ceiling prices for sales of packaged domestic whiskey purchased under license contracts—(a) How to use this section. This section applies to you if you are a wholesaler of packaged domestic whiskey which you have purchased under the terms of a license contract (as defined in paragraph (b)). It tells you how to determine your ceiling prices for sales of such an item to a particular class of purchaser in each of the following four situ-

(1) Where you have determined a ceiling price under the other provisions of this supplementary regulation for sales to the same class of purchaser of the same item which, however, you purchased in packaged form from the same supplier. (See paragraph (c).)

(2) Where you do not purchase the same item in packaged form, but you dealt in the item (purchased under li-cense contract) during the "base pe-_(See paragraph (d).)

(3) Where you do not purchase the same item in packaged form and did not deal in the item (purchased under license contract) during the "base pe-

(See paragraph (e).)

(4) Where you cannot determine the ceiling price for the item (purchased under license contract) under the other provisions of this section. (See paragraph (f).)

(b) Definitions of terms used in this section-(1) License contract. For purposes of this section a "license contract" is a contract by which a distiller sells bulk whiskey to a wholesaler under the following terms:

(i) The whiskey is to remain in bond until it reaches a fixed age, and

(ii) It is to be bottled by the distiller for the account of the wholesaler, and (iii) The wholesaler is either required

or has the option to sell the whiskey under a brand name owned or controlled by the distiller.

A "distiller" for purposes of this sec-tion means a person who holds a Distiller's Basic Permit issued under the provisions of the Federal Alcohol Administration Act, as amended. A parent corporation and all its subsidiary corporations are to be considered as one 'distiller.'

(2) License contract item. For purposes of this section "license contract item" means an item (defined in section 72) purchased under a licensed contract

and resold in packaged form.

(3) Packaged item and same packaged item. For purposes of this section "packaged item" means an item (defined in section 72) both purchased in packaged form and resold in packaged form. Reference will often be made to a "license contract item" and to the "same packaged item." In those cases, "same packaged item" means the identical item (as defined in section 72) as the "license contract item" referred to, but means a unit or units of that item which were purchased in packaged form rather than under license contracts. For example, if the "license contract item" is a fifth of John Doe Brand Straight Rye Whiskey (which you purchased under license contract), then the "same packaged item" is also a fifth of John Doe Brand Straight Rye Whiskey which you purchased in packaged form.

(4) Borrowed cost of acquisition. For purposes of this section, "borrowed cost of acquisition" means the total of the

following:

(i) The f. o. b. gross invoice price per case which your supplier charged, to another wholesaler (the "comparison wholesaler"), for the particular pur-chase of the "same packaged item" as the license contract item you are pricing. That f. o. b. gross invoice price must not, however, include any discounts or allowances, except "promotional discounts", which the "comparison whole-saler" took or could have taken, or any United States, State or local taxes (other than United States excise taxes), fees or charges. ("Promotional discount" is defined in paragraph (b) of the defini-tion of "cost of acquisition" which is contained in section 72 of this supplementary regulation.)

(ii) All transportation charges (defined in section 3.3 of the BABR), at rates in effect at the time of the "comparison wholesaler's" purchase referred to in (i), that would have been incurred by you to transport a case of your "license contract item" from the customary shipping point of your supplier of that "license contract item" to your custom-

ary receiving point.

(iii) All United States, State and local excise taxes (at rates in effect at the time of the "comparison wholesaler's" purchase referred to in (i)) which would have been applicable to a case of your "license contract item" at that time and which are not already included in the invoice price determined in (i).

(c) Ceiling prices for "license contract items" by a wholesaler who has established a ceiling price under this supplementary regulation for the packaged item." This paragraph applies to you if you are a wholesaler who wishes to sell a "license contract item" to a class of purchaser and you have already established a celling price to that class of purchaser for sales of the "same packaged item." In that case, your ceiling price per case for sales of the "license contract item" to the particular class of purchaser, at any time that you have that "same packaged item" in stock, is the same as the celling price per case established under this supplementary regulation for sales at that time of the "same packaged item" to that class of purchaser. However, your ceiling price for sales of the "license contract item" during any time that you do not have the "same packaged item" in stock, must be established under paragraph (d), (e) or (f), whichever is applicable.

(d) Initial ceiling prices for "license contract items" sold during the "base period". This paragraph applies to you if you are a wholesaler who sold or offered for sale a "license contract item" to a particular class of purchaser during the "base period" (defined in section 20) and cannot determine your ceiling price for sale of that item to that class of purchaser under paragraph (c). In that case you are to determine your initial ceiling price per case for that "license contract item" to the particular class of

purchaser as follows:

(1) Determine the highest price per case at which you made a customary sale of a case of the "license contract item" to the particular class of purchaser dur-ing the "base period". If no such sale was made you must use the highest price at which you offered the item for sale to that class of purchaser during the "base period", if the offer or its acceptance, is proven by some written or printed evidence such as a price list, price posting, printed advertisement, etc. (If, however, your offering price was intended to withhold the item from the market or if it was merely a bargaining price, your usual practice being to sell at a price lower than that asked, you may not use that price as your offering price under this subparagraph.) If you cannot determine your "base period" sales price or offering price for the item under this subparagraph, then you must determine your ceiling price for the item under paragraph (e).

(2) Determine your "borrowed cost of acquisition" (defined in paragraph (b)) for the "license contract item" on the basis of that customary purchase made by your "comparison wholesaler" and used by him to figure his "cost of acquisition" for the "same packaged item" under section 21 (a) (2). (If your supplier did not or does not now sell the "same packaged item" you must apply for a ceiling price for the "license contract item" under paragraph (f) of this section.)

(3) Divide the price figured in (1) by your "borrowed cost of acquisition" (de-

termined in (2)). The resulting figure is your "markup factor" for sale of the "license contract item" to the particular class of purchaser.

(4) Your initial ceiling price per case for sale of that "license contract item" to that class of purchaser is calculated as follows:

(i) Determine your "borrowed cost of acquisition" on the basis of that customary purchase of the "same packaged item" which was made by your "comparison wholesaler" and used by him to figure his "cost of acquisition" and initial ceiling price for that item under section 21 (a) (4). (The "comparison wholesaler" must be the same wholesaler referred to in subparagraph (2) of this paragraph.)

(ii) Multiply your "borrowed cost of, acquisition" (determined in (i)) by your 'markup factor" (arrived at in (3)). The resulting figure is your initial ceiling price per case for sale of the "license contract item" to the particular class of purchaser and may be adjusted or modified under the provisions of paragraph (h) of this section, sections 27 and 28 of this supplementary regulation, and sections 2.1, 2.4, 2.16 and 2.17 of the BABR, if applicable. In addition, you must comply with the record provision of paragraph (g) of this section.

Example: (The steps in this example are marked with the same numbers as the above subparagraphs, which outline the method of calculation.)

(1) The highest price at which you sold a case of fifths of X whiskey (the "license contract item") during the "base period" to a particular class of purchaser was \$40.

(2) Your supplier also sells X whiskey in cases and sold that whiskey in cases to wholesaler W both in the "base period" and "comparison wholesaler". The f. o. b. gross invoice price (less discounts, except "promotional discounts", and all taxes, fees and charges) that W paid for his last customary purchase of a case of X before June 1, 1950 (and which he, therefore, used to determine his "cost of acquisition" for X under section 21 (a) (2)) was \$12. If you had purchased a case of X at that time it would have cost you \$2 to transport it from your supplier's customary shipping point to your customary receiving point, and the United States and State excise taxes applicable to it would have amounted to \$22. Consequently, you add that \$2 and \$22 to W's invoice price of \$12 for Y and arrive at \$36, which is your "borrowed cost of acquisition."

(3) Dividing \$40 (your highest selling price per case during the "base period" for the X whiskey you purchased under license contract), by \$36 (your "borrowed cost of acquisition") gives you a "markup factor" for sale of X to the particular class of pur-

chaser of 1.11 (\$40÷\$36=1.11).

(4) (1) The f. o. b. gross invoice price (less discounts, except "promotional discounts", and all taxes, fees and charges) that W paid for his last customary purchase of a case of X before February 1, 1952 (and which he, therefore, used to determine his "cost of acquisition" for X under section 21 (a) (4)) was \$12. If you had purchased a case of X at that time it would have cost you \$2.20 to transport it from your supplier's customary shipping point to your customary receiving point, and the United States and State excise taxes applicable to it would have amounted taxes applicable to two that amounted to \$25.60. Consequently, you add that \$2.20 and \$25.60 to W's invoice price of \$12 for X and arrive at \$39.80, which is your "borrowed cost of acquisition."

(ii) Your ceiling price for sale of a case of fifths of X (which you purchased under license contract) to the particular class of

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purchaser is determined by multiplying \$39.80 (your "borrowed cost of acquisition" determined in (i)) by 1.11 (your "markup factor" arrived at in (3)), and is \$44.18 per case (\$39.80 x 1.11=\$44.18).

(e) Initial ceiling prices for "license contract items" not sold during the "base period". This paragraph applies to you if you are a wholesaler who did not sell a particular "license contract item" to a class of purchaser during the "base périod" (defined in section 20) or cannot determine your initial ceiling price for sale of that item to that class of purchaser under either paragraph (c) or (d) of this section. In that case you are to determine your ceiling price per case for that "license contract item" to the particular class of purchaser as follows:

(1) Determine your "borrowed cost of acquisition" (defined in paragraph (b)) for the "license contract item" on the basis of that customary purchase of the "same packaged item" which was made by your "comparison wholesaler" and used by him to last calculate (or recalculate) his "cost of acquisition" and his ceiling price for that item under this supplementary regulation. (If your supplier does not sell the "same packaged item," you must apply for a ceiling price for the "license contract item" under paragraph (f) of this section.)

(2) Select a packaged item (for which you already have determined a ceiling price under this supplementary regulation to the particular class of purchaser) which has the same "cost of acquisition" (defined in section 72) as your "borrowed cost of acquisition" (arrived at in (1)) for the particular "license contract item". (If none of your packaged items has the same "cost of acquisition" as the "borrowed cost of acquisition" of the particular "license contract item", select your packaged item with the next lower "cost of acquisition".) The "markup factor" determined under the other provisions of this supplementary regulation for sale of the packaged item selected to the particular class of purchaser, is your "markup factor" for sale of the "license contract item" to that class of purchaser.

(3) Your initial ceiling price per case for sale of the "license contract item" to the particular class of purchaser is calculated by multiplying your "borrowed cost of acquisition" (determined in (1)) by your "markup factor" (arrived at in (2)). That price, however, may be adjusted or modified under the provisions of paragraphs (h) of this section, sections 27 and 28 of this supplementary regulation, and sections 2.1, 2.4, 2.16 and 2.17 of the BABR, if applicable. In addition you must comply with the record provisions of paragraph (g) of this sec-

Example. (The steps in this example are marked with the same numbers as the above subparagraphs, which outline the method of calculation.)

(1) You wish to determine a ceiling price. for sales to a particular class of purchaser. of a case of fifths of X whiskey (the "license contract item").

Your supplier also sells X whiskey in cases and sells that whiskey in cases to wholesaler W. You, therefore, select W as your "comparison wholesaler". The f. o. b. gross invoice price (less discounts, except "promo-

tional discounts" and all taxes, fees and charges) that W paid for his last customery purchase of a case of fifths of X before February 1, 1952 (the day as of which he calculated his ceiling price for X) was \$12. If you had purchased a case of X at that time it would have cost you \$2.20 to transport it from your supplier's customary shipping point to your customary receiving point, and the United States and State excise taxes applicable to it would have amounted to \$25.00. Consequently, you add that \$2.20 and \$25.60 to W's invoice price of \$12 for X and arrive at \$39.80, which is your "borrowed cost of acquisition."

(2) You do not sell any item which has the same "cost of acquisition" as your "borrowed cost of acquisition" (\$39.80) for X. However, of all the items in your line, item Z has a "cost of acquisition" (of \$38.50) which is the next lower "cost of acquisition" to X's "borrowed cost of acquisition." Therefore, the "markup factor" of 1.12, which you figured for sales of Z to the particular

class of purchaser, under the other provisions of this supplementary regulation, is your "markup" factor" for X.

(3) Your ceiling price for sale of a case of fifths of X (which you purchased under license contract) to the particular class of purchaser, is determined by multiplying \$39.80 (your "borrowed cost of acquisition" determined in (1)) by 1.12 (your "markup factor" arrived at in (2)) and is \$44.58 per case (\$39.80 x 1.12 = \$44.58).

(f) Ceiling prices for "license contract items" that cannot be priced under the other paragraphs of this section. This paragraph applies to you if you are a wholesaler and cannot determine your ceiling price to a class of purchaser for sale of a "license contract item" under any other paragraph in this section. In that case you may apply to the Office of Price Stabilization, Alcoholic Beverage Section, Washington 25, D. C., for the establishment of a ceiling price for sale of that "license contract item" to the particular class of purchaser. Your application must be in writing, signed by you or a duly authorized officer, and must contain the following informa-

(1) The brand, type and container size, of the "license contract item" for which you are applying for a ceiling price, and the age and proof at which that "license contract item" was bot-

(2) The age at which the "license contract item" was purchased, the price per original proof gallon paid by you for it under the license contract, and the name and address of your supplier;

(3) A copy of the license contract for the item. (To the extent that that license contract contains information roquested in subparagraphs (1) and (2), you need not again supply that information under subparagraphs (1) and (2).);

(4) If you sold the "license contract item" between January 26, 1951, and November 1, 1951, (i) the highest price at which you sold the "license contract item" during that period, (ii) the brand, type, container size, proof, age at which bottled and selling price (to the particular class of purchaser) of the item in your line which, during that period, was selling at the same price (or the price nearest to) the selling price of your "license contract item", and (iii) the current ceiling price of the item mentioned in subdivision (ii).

After your application is filed the Office of Price Stabilization may, by order, (i) establish your ceiling price for the "license contract item", or (ii) establish a method for determining your ceiling price for the "license contract item." Until that order is issued and becomes effective, you may sell that "license contract item" at your ceiling price for it established under the provisions of the GCPR, as amended.

(g) Records you must prepare and preserve—(1) Records that must be kept by wholesalers who determine their initial ceiling prices under paragraph (d). If you are a wholesaler who determines ceiling prices for a "license contract item" under paragraph (d) of this section then (in addition to keeping the records required by section 2.14 of the BABR) you must, before March 1, 1952, complete for sales of that item to each class of purchaser, OPS Public Form No. 118 prepared for your use under this paragraph. You must, thereafter, preserve and keep that completed OPS Public Form available for inspection by the Director of Price Stabilization for as long as the Defense Production Act of 1950, as amended, is in effect and for two years thereafter. Copies of OPS Public Form No. 118 may be obtained from any OPS Regional or District Office on or after February 1, 1952. The information you will insert in that . Form is as follows:

(i) The age and purchase price per original proof gallon at which you bought the "license contract item" you are pricing, its brand, type, container size, and the age at which it was bottled.

(ii) The name and address of the "comparison wholesaler" upon whose purchases of the "same packaged item" your "borrowed cost of acquisition" is based.

(iii) The price determined under subparagraph (d) (1) of this section.

(iv) Your 'borrowed cost of acquisition' determined under subparagraph (d) (2) of this section.

.(v) Your "markup factor" determined under subparagraph (d) (3) of this section.

(vi) Your "borrowed cost of acquisition" determined under subparagraph (d) (4) (i) of this section.

(vii) Your initial ceiling price to that

class of purchaser.

(2) Records that must be kept by wholesalers who determine their initial ceiling prices under paragraph (e). If you are a wholesaler who determines ceiling prices for a "license contract item" under paragraph (e) of this section then (in addition to keeping the records required by section 2.14 of the BABR) you must, before March 1, 1952, complete for sales of that item to each class of purchaser, OPS Public Form No. 119 prepared for your use under this paragraph. You must, thereafter, preserve and keep that completed OPS Public Form available for inspection by the Director of Price Stabilization for as long as the Defense Production Act of 1950, as amended, is in effect and for two years thereafter. Copies of that OPS Public Form No. 119 may be obtained from any OPS Regional or District Office on cr after February 1, 1952. The information you will insert in that Form is as follows:

(i) The age and purchase price per original proof gallon at which you bought the "license contract item" you are pricing, its brand, type, container size, and the age at which it was bottled.

(ii) The name and address of the "comparison wholesaler" upon whose purchases of the "same packaged item" your "borrowed cost of acquisition" is

(iii) Your "borrowed cost of acquisition" determined under subparagraph (e) (1) of this section.

(iv) The brand, type and container size of your packaged item relected pursuant to subparagraph (e) (2) of this section, the "cost of acquisition" of that packaged item, and your "markup factor" for sale of that packaged item to the particular class of purchaser.

(v) Your initial ceiling price to that

class of purchaser.

(h) Recalculation of ceiling prices determined under this section—(1) When you must recalculate your ceiling prices. If you are a wholesaler who determines his ceiling price for a "license contract item" under either paragraph (d) or (e) of this section you may recalculate your ceiling price whenever the "comparison wholesaler" (upon whose purchases your "borrowed cost of acquisition" is based) increases his ceiling price, and must re-calculate your ceiling price whenever that "comparison wholesaler" decreases his ceiling price. You are to recalculate your ceiling price per case by multiplying your new "borrowed cost of acquisition" (which is to be based upon that purchase made by the "comparison wholesaler" which caused him to recalculate his ceiling price) by your "markup factor" (established under paragraph (d) or (e)). If, however, you believe that you will not be able to find out (in time to recalculate your ceiling price for your "license contract item" as required under this paragraph) either (i) when your "comparison wholesaler" changes his ceiling prices or (ii) the f. o. b. gross invoice prices upon which your "com-parison wholesaler" bases his price changes, then you must apply for a celling price for that "license contract item" under paragraph (f) of this section and you must not determine your initial celling price for that "license contract item" under paragraph (d) or (e).

(2) When recalculated ceiling prices go into effect. The ceiling price per case recalculated under this paragraph is to go into effect (except as provided in section 70) on and after the fourth day (not counting Sundays and holidays) following the day the "comparison wholesaler" places his recalculated ceiling price into effect. Your recalculated ceiling price shall apply (1) to stock on hand (as defined in section 3.3 of the BABR) as of that date, (2) to all sales or deliveries made after that date (even if made under a contract entered into before that date), and (3) to offers to sell and contracts to sell made after that date.

3. Section 66 is added to Article VIII to read as follows:

SEC. 66 Retailers' ceiling prices for sales of packaged domestic whiskey purchased under license contracts.—(a) How to use this section. This section applies to you if you are a retailer of packaged domestic whiskey which you have purchased under the terms of a license contract (as defined in paragraph (b)). It tells you how to determine your ceiling prices for sales of such an item to consumers in each of the following four situations:

(1) Where you have determined a ceiling price under the other provisions of this supplementary regulation for sales to consumers of the same item which, however, you purchased in packaged form from the same supplier. (See

paragraph (c).)

(2) Where you do not purchase the same item in packaged form, but you dealt in the item (purchased under license contract) during the "base period". (See paragraph (d).)

(3) Where you do not purchase the same item in packaged form and did not deal in the item (purchased under license contract) during the "base period." (See paragraph (e).)

(4) Where you cannot determine the ceiling price for the item (purchased under license contract) under the other provisions of this section. (See para-

graph (f).)

(b) Definitions of terms used in this section—(1) License contract. For purposes of this section a "license contract" is a contract by which a distiller sells bulk whishey to a retailer under the following terms:

(i) The whiskey is to remain in bond until it reaches a fixed age, and

(ii) It is to be bottled by the distiller for the account of the retailer, and

(iii) The retailer is either required or has the option to sell the whiskey under a brand name owned or controlled by the distiller.

A "distiller" for purposes of this section means a person who holds a Distiller's Basic Permit issued under the provisions of the Federal Alcohol Administration Act, as amended. A parent corporation and all its subsidiary corporations are to be considered as one "distiller."

(2) License contract item. For purposes of this section "license contract item" means an item (defined in section 72) purchased under a license contract, and resold in packaged form.

(3) Packaged item and same packaged item. For purposes of this section "packaged item" means an item (defined in section 72) both purchased in packaged form and resold in packaged form. Reference will often be made to a "license contract item" and to the "same packaged item." In those cases, "same packaged item" means the identical item (as defined in section 72) as the "license contract item" referred to, but means a unit or units of that item which were purchased in packaged form rather than under license contracts. For example, if the "license contract item" is a fifth of John Doe Brand Straight Rye Whiskey (which you purchased under license contract), then the "same packaged item" is also a fifth of

John Doe Brand Straight Rye Whiskey which you purchased in packaged form.

(4) Borrowed individual container cost. For purposes of this section, "borrowed individual container cost" means your "borrowed cost of acquisition" per case divided by the number of containers of the "same packaged item" (whose gross invoice price you are borrowing) customarily packed in a case by your supplier. "Borrowed cost of acquisition" means the total of the following:

(i) The f, o. b. gross invoice price per case which your supplier charged, to another retailer (the "comparison retailer"), for the particular purchase of a case of the "same packaged item" as the "license contract item" you are pricing. If the "comparison retailer's" particular purchase of the "same packaged item" was of less than a full case, use the gross invoice price per case that would have been incurred by that "comparison re-tailer" if the particular purchase had been of a full case (at his supplier's f. o. b. selling price per case then in effect). The f. o. b. gross invoice price (determined above) must not include any discounts or allowances, except "promotional discounts", the "comparison retailer" took or could have taken, or any United States, State or local taxes (other than United States excise taxes). fees or charges. ("Promotional discount" is defined in paragraph (b) of the definition of "cost of acquisition" which is contained in section 72 of this supplementary regulation.)

(ii) All transportation charges (defined in section 3.3 of the BABR), at rates in effect at the time of the "comparison retailer's" purchase referred to in (i), that would have been incurred by you to transport a case of your "license contract item" from the customary shipping point of your supplier of that "license contract item" to your cus-

tomary receiving point.

(iii) All United States, State and local excise taxes (at rates in effect at the time of the "comparison retailer's" purchase referred to in (i)) which would have been applicable to a case of your "license contract item" at that time and which are not already included in the invoice price determined in (i).

(c) Ceiling prices for "license contract items" by a retailer who has established a ceiling price under this supplementary regulation for the "same packaged item." This paragraph applies to you if you are a retailer who wishes to sell a "license contract item" to consumers and you have already established a ceiling price to consumers for sales of the "same packaged item". In that case, your ceiling price per case for sales of the "license contract item" to consumers, at any time that you have that "same packaged item" in stock, is the same as the ceiling price per case established under this supplementary regulation for sales at that time of the "same packaged item" to consumers. However, your ceiling price for sales of the "license contract item" during any time that you do not have the "same packaged item" in stock, must be established under paragraph (d), (e) or (f) of this section, whichever is applicable.

(d) Initial ceiling prices for "license contract items" sold during the "base period." This paragraph applies to you if you are a retailer who sold or offered for sale a "license contract item" to consumers during the "base period" (defined in section 51) and cannot determine your ceiling price for sale of that item to consumers under paragraph (c). In that case you are to determine your initial ceiling price for sale of an individual container of that "license contract item" to consumers as follows:

(1) Determine the highest price at which you made a customary sale of an individual container of the "license contract item" to consumers during the "base period." If no such sale was made you must use the highest price at which you offered the item for sale to consumers during the "base period", if the offer, or its acceptance, is proven by some written or printed evidence such as a price list, price posting, printed advertisement, etc. (If, however, your offering price was intended to withhold the item from the market or if it was merely a bargaining price, your usual practice being to sell at a price lower than that asked, you may not use that price as your offering price under this subparagraph.) If you cannot determine your "base period" sales price or offering price for the item under this subparagraph, then you must determine your ceiling price for

the item under paragraph (e).

(2) Determine your "borrowed individual container cost" (defined in paragraph (b)) for the "license contract item" on the basis of the last customary purchase of the "same packaged item" made by your "comparison retailer" before January 1, 1951. The packaged item selected must be one which the "comparison retailer" dealt in during the "base period". (If your supplier did not or does not now sell the "same packaged item" you must apply for a ceiling price for the "license contract item" under paragraph (f) of this section.)

(3) Divide the price figured in (1) by your "borrowed individual container cost" (determined in (2)). The resulting figure is your "markup factor" for sale of the "license contract item" to

consumers.

(4) Your initial ceiling price for sale of an individual container of that "license contract item", to consumers is calculated as follows:

(i) Determine your "borrowed individual container cost" on the basis of that customary purchase of the "same packaged item" which was made by your comparison retailer" and used by him to figure his "individual container cost" and initial ceiling price for that item under section 54 (a) (4) or 60 (a) (5). (The "comparison retailer" must be the same retailer referred to in subparagraph (2) of this paragraph.)

(ii) Multiply your "borrowed individual container cost" (determined in (i)) by your "markup factor" (arrived at in (3)). The resulting figure is your initial ceiling price for sale of an individual container of the "license contract item" to consumers and may be adjusted or modified under the provisions of paragraph (h) of this section, sections 64 and 65 of this supplementary regulation, and sections 2.1, 2.4, 2.16, and 2.17 of the BABR, if applicable. In addition, you must comply with the record provisions of paragraph (g) of this section.

Example. (The steps in this example are marked with the same numbers as the above subparagraphs, which outline the method of

(1) The highest price at which you sold a fifth of X four year old whiskey (the "license contract item") to consumers during the base period was \$5.40.

(2) Your supplier also sells X whiskey in cases and sells that whiskey in cases to retailer R. You therefore select R as your "comparison retailer." The f. o. b. gross invoice price (less discounts, except "promotional discounts", and all taxes, fees and charges) that R paid for his last oustomary purchase of a case of X before January 1, 1951, was \$30. If you had purchased a case of X at that time the United States and State excise taxes applicable to it would have amounted to \$24. You, therefore, add that \$24 to R's invoice price of \$30, and arrive at \$54, which is your "borrowed cost of acquisition" for X. Dividing \$54 by 12, the number of containers of X customarily packed in a case by your supplier results in \$4.50. which is your "borrowed individual container cost."

(3) Dividing \$5.40 (your highest soiling price during the "base period" for a fifth of X whiskey you purchased under license contract), by \$4.50 (your "borrowed individual container cost") gives you a "markup factor" for sale of X to consumers of 1.20 (\$5.40 - \$4.50 = 1.20).

(4) (1) The f. o. b. gross invoice price (less discounts, except "promotional discounts", and all taxes, fees and charges) that R paid for his last customary purchase of a case of X before February 1, 1952 (and which ho, therefore, used to determine his "individual container cost" and initial ceiling price for that item under section 54 (a) (4) or 60 (a) (5)) was \$30. If you had purchased a case of X at that time, the United States and State excise taxes applicable to it would have amounted to \$27.60. You, therefore, add that \$27.60 to R's invoice price of \$30, and arrive at \$57.60, which is your "borrowed cost of acquisition" for X. Dividing \$57.60 by 12, the number of containers of X customarily packed in a case by your supplier, results in \$4.80, which is your "borrowed individual container cost."

(ii) Your ceiling price for sale to consumers of a fifth of X (which you purchased under license contract) is determined by multiplying \$4.80 (your "borrowed individual container cost" determined in (1)) by 1.20 (your "markup factor" arrived at in (3)), and is \$5.76 per case (\$4.80 \times 1.20 \in \$5.76).

(e) Initial ceiling prices for "license contract items" not sold during the "base period." This paragraph applies to you if you are a retailer who did not sell a particular "license contract item" to con-sumers during the "base period" (defined in section 51) or cannot determine your ceiling price for sale of that item to consumers under either paragraph (c) or (d) of this section. In that case, you are to determine your initial ceiling price for sale of an individual container of that "license contract item" to consumers as follows:

(1) Determine your "borrowed individual container cost" (defined in paragraph (b)) for the "license contract item" on the basis of that customary purchase of the "same packaged item" which was made by your "comparison retailer" and used by him to last calculate (or recalculate) his "individual con-

tainer cost" and his ceiling price for that item under this supplementary regulation. (If your supplier does not sell the "same packaged item" you must apply for a ceiling price for the "license contract item" under paragraph (f) of this section.)

(2) Select a packaged item (for which you already have determined a ceiling price to consumers under this supplementary regulation) which has the same "individual container cost" (defined in section 72) as your "borrowed individual container cost" (arrived at in (1)) for the particular "license contract item." (If none of your packaged items has the same "individual container cost" as the "borrowed individual container cost" of the particular "license contract item", select your packaged item with the next lower "individual container cost.") The "markup factor" determined under the other provisions of this supplementary regulation for sale to consumers of the packaged items selected, is your "mark-up factor" for sale of the "license con-tract item" to consumers.

(3) Your initial ceiling price for sale of an individual container of the "license contract item" to consumers is calculated by multiplying your "borrowed individual container cost" (determined in (1)) by your "markup factor" (arrived at in (2)). That price, however, may be adjusted or modified under the provisions of paragraph (h) of this section, sections 64 and 65 of this supplementary regulation, and sections 2.1, 2.4, 2.16 and 2.17 of the BABR, if applicable. In addition, you must comply with the record provisions of paragraph (g) of this section.

Example. (The steps in this example are marked with the same numbers as the above subparagraphs, which outline the method of

calculation.)
(1) You wish to determine your ceiling price to consumers for sale of a fifth of X four year old whiskey, which you purchased imder a license contract. Your supplier also sells X whiskey in cases, and sells that whiskey in cases to retailer B. You, there-

whiskey in cases to retailer R. You, therefore, select R as your "comparison retailer".

The last customary purchase which R made of X before February 1, 1952 (the day as of which he calculated his ceiling price for X) was a purchase of only 6 bottles (that is, a purchase of less than a case). However, if R had purchased a case of X from the supplier at that time, his f. o. b. gross invoice price for that case (less discounts, except "promotional discounts", and all taxes, fees and charges) would have been \$30. If you had purchased a case of X at that time, the United States and State excise taxes applicable to it would have amounted to \$27.60. Consequently, you add that \$27.60 to \$30 and arrive at \$57.60, which is your "borrowed cost of acquisition" containers of X customarily packed in a case by your supplier, results in \$4.80, which is your "borrowed individual container cost."

(2) Item Z, which you also sell, has an "individual container cost" of \$4.80, which is the same as your "borrowed individual container cost" for X. Therefore, the "markup factor" of 1.20, which you figured for sales of Z to consumers under the other provisions of this supplementary regulation, is your "markup factor" for X.

(3) Your ceiling price for sale to consumers of a fifth of X (which you purchased under license contract) is determined by multiplying \$4.80 (your "borrowed individual container cost" determined in (1)) by 1.20 (your "markup factor" arrived at in (2)), and is \$5.76 (64.80 \times 1.20=\$5.76).

(f) Ceiling prices for "license contract items" that cannot be priced under the other paragraphs of this section. This paragraph applies to you if you are a retailer and cannot determine your ceiling price to consumers for sale of a "license contract item" under any other paragraph in this section. In that case you may apply to the Office of Price Stabilization, Alcoholic Beverage Section, Washington 25, D. C., for the establishment of a ceiling price for that "license contract item." Your application must be in writing, signed by you or a duly authorized officer, and must contain the following information:

(1) The brand, type and container size, of the "license contract item" for which you are applying for a celling price, and the age and proof at which

that "license contract item" was bottled;
(2) The age at which the "license contract item" was purchased, the price per original proof gallon paid by you for it under the license contract, and the name

and address of your supplier;

(3) A copy of the license contract for the item. (To the extent that that license contract contains information requested in subparagraphs (1) and (2), you need not again supply that informa-

tion under subparagraphs (1) and (2).);
(4) If you sold the "license contract item" between January 26, 1951, and November 1, 1951, (i) the highest price at which you sold the 'license contract item" during that period, (ii) the brand, type, container size, proof, age at which bottled and selling price of the item in your line which, during that period, was selling at the same price (or the price nearest to) the selling price of your 'license contract item", and (iii) the current ceiling price of the item mentioned in subdivision (ii).

After your application is filed the Office of Price Stabilization may, by order, (i) establish your celling price for the "license contract item", or (ii) establish a method for determining your celling price for the "license contract item." Until that order is issued and becomes effective, you may sell that "license contract item" at your celling price for it established under the provisions of the GCPR, as amended.

(g) Records you must prepare and preserve—(1) Records that must be kept by retailers who determine their initial ceiling prices under paragraph (d). If you are a retailer who determines ceiling prices for a "license contract item" under paragraph (d) of this section then (in addition to keeping the records required by section 2.14 of the BABR) you must, before March 1, 1952, complete for sales of that item to consumers OPS Public Form No. 118 prepared for your use under this paragraph. You must, thereafter, preserve and keep that completed OPS Public Form available for inspection by the Director of Price Stabilization for as long as the Defense Production Act of 1950, as amended, is in effect and for two years thereafter. Copies of OPS Public Form No. 118 may be obtained from any OPS

Regional or District Office on or after February 1, 1952. The information you will insert in that Form is as follows:

(i) The age and purchase price per original proof gallon at which you bought the "license contract item" you are pricing, its brand, type, container size, and the age at which it was bottled.

(ii) The name and address of the "comparison retailer" upon whose pur-chases of the "same packaged item" your "borrowed individual container cost" is based.

(iii) The price determined under subparagraph (d) (1) of this section.

(iv) Your "borrowed individual container cost" determined under subparagraph (d) (2) of this section.
(v) Your "markup factor" determined

under subparagraph (d) (3) of this section.

(vi) Your "borrowed individual container cost" determined under subparagraph (d) (4) (i) of this section.

(vii) Your initial ceiling price to con-

- (2) Records that must be kept by retailers who determine their initial ceiling prices under paragraph (e). If you are a retailer who determines ceiling prices for a "license contract item" under paragraph (e) of this section then (in addition to keeping the records required by section 2.14 of the BABR) you must, before March 1, 1952, complete for sales of that item to consumers, OPS Public Form No. 119 prepared for your use under this paragraph. You must, thereafter, preserve and keep that completed OPS Public Form available for inspection by the Director of Price Stabilization for as long as the Defense Production Act of 1950, as amended, is in effect and for two years thereafter. Copies of OPS Public Form No. 119 may be obtained from any OPS Regional or District Office on or after February 1, 1952. The information you will insert in that Form is as follows:
- (i) The age and purchase price per original proof gallon at which you bought the "license contract item" you are pricing, its brand, type, container size, and the age at which it was bottled.
- (ii) The name and address of the "comparison retailer" upon whose purchases of the "same packaged item" your "borrowed individual container cost" is based.

(iii) Your "borrowed individual container cost" determined under subparagraph (e) (1) of this section.

(iv) The brand, type and container size of your packaged item selected pursuant to subparagraph (e) (2) of this section, the "individual container cost" of that packaged item, and your "markup factor" for sale of that packaged item to consumers.

(v) Your initial ceiling price to consumers.

(h) Recalculation of ceiling prices determined under this section—(1) When you must recalculate your ceiling prices. If you are a retailer who determines his celling price for a "license contract item" under either paragraph (d) or (e) of this section, you may recalculate your ceiling price whenever the "comparison retailer" (upon whose purchases your

"borrowed individual container cost" is based) increases his ceiling price, and must recalculate your ceiling price whenever that "comparison retailer" decreases his ceiling price. You are to recalculate your ceiling price per case by multiplying your new "borrowed individual container cost" (which is to be based upon that purchase made by the "comparison retailer" which caused him to recalculate his ceiling price) by your "markup factor" (established under paragraph (d) or (e)). If, however, you believe that you will not be able to find out (in time to recalculate your ceiling price for your "license contract item" as required under this paragraph) either (i) when your "comparison retailer" changes his ceiling prices or (ii) the f. o. b. gross invoice prices upon which your "comparison retailer" bases his price changes, then you must apply for a ceiling price for that "license contract item" under paragraph (f) of this section and you must not determine your initial ceiling price for that "license contract item" under paragraph (d) or (e).

- (2) When recalculated ceiling prices go into effect. The ceiling price per case recalculated under this paragraph is to go into effect (except as provided in section 70) on and after the fourth day (not counting Sundays and holidays) following the day the "comparison retailer" places his recalculated ceiling price into effect. Your recalculated ceiling price. shall apply (i) to stock on hand (as defined in section 3.3 of the BABR) as of that date, (ii) to all sales or deliveries made after that date (even if made under a contract entered into before that date), and (iii) to offers to sell and contracts to sell made after that date.
- 4. The following two changes are made in Article IX:
- a. The heading of Article IX is changed to read as follows: ARTICLE IX—"ON-PREMISE 'LICENSES" AND CERTAIN IMPORTERS AND PROCESSORS.
- b. Section 69 is added to Article IX to read as follows:

SEC. 69. How an importer or processor is to determine his ceiling prices for certain items. This section applies to you if you are an importer or a processor who sells the same item of imported or domestic packaged distilled spirits or wine to both wholesalers and retailers (or "onpremise licensees"). In that case, you are to determine your ceiling price for sales of that item to retailers and "on-premise licensees" under the provisions of this supplementary regulation which apply to wholesalers. Therefore, for purposes of those provisions of this supplementary regulation which apply to wholesalers (except section 27) you are considered a wholesaler of that item to the extent that you sell it to retailers and "on-premise licensees." (Your ceiling, prices for sales of that item to any class of purchaser other than retailers and "on-premise licensees" continue, of course, to be governed by CPR 31, GCPR. or whichever other regulation may become applicable to you.) In determining your ceiling price for sales of the item to retailers and "on-premise licensees".

however, you must do so pursuant to the following instructions:

(a) Any reference to a particular "customary purchase" of an item, in the provisions of this supplementary regulation which apply to wholesalers, shall mean a particular sale by you of the item to a wholesaler. (For example: If a provision tells you to figure your "cost of acquisition" for your "last customary purchase" of an item before June 1, 1950, it means, as to you, your "cost of acquisition" (defined in paragraph (b)) which is based on your last customary sale of the item to a wholesaler before June 1, 1950.)

(b) Your "cost of acquisition" as of any particular time specified in the provisions of this supplementary regulation which apply to wholesalers, must be your "cost of acquisition" as defined in this paragraph, rather than as defined in section 72. Your "cost of acquisition" for an item as of any particular time specified in this supplementary regulation (if any) means the total of the following elements:

(1) The f. o. b. gross invoice price per case you charged to a wholesaler who made a customary purchase of the same item less (i) all discounts or allowances that wholesaler took or could have taken (except "promotional discounts" as defined in paragraph (b) of the section 72 definition of "cost of acquisition"), and (ii) all United States, State and local taxes (other than United States excise taxes), fees and charges included in that invoice price. (For example: if a provision of this supplementary regulation tells you to determine your "cost of acquisition" for your "last customary purchase" of the item before June 1, 1950, you are to use as your f. o. b. gross invoice price per case the price charged for your last customary sale to a wholesaler before June 1, 1950. If that price was a delivered price, you must reduce it by the exact amount of the transportation charges in effect at that time and paid by you to transport the item to the particular wholesaler.)

(2) All transportation charges (defined in section 3.3 of the BABR) applicable to the particular item and which would be incurred by you to transport the item from your customary shipping point to the retailer's customary receiving point. In no event, however, may you include any amount incurred by you for local hauling, drayage or handling.

(3) All United States, State and local excise taxes, and United States customs duties applicable to the particular item and actually incurred by you, to the extent that those taxes and duties are not already included in the invoice price determined in (1).

(4) In the case of an imported item, the costs actually incurred by you to withdraw that item from customs' custody to the extent that those costs are not already included in the invoice price determined in (1).

5. Section 73 is inserted in Article X-to read as follows:

SEC. 73. Payment of brokers' compensation. For purposes of this supplementary regulation, and despite the provisions of section 2.5 of the BABR, every

broker (as defined in section 3.1 of the BABR) shall be considered as the agent of the seller and not the agent of the buyer. In each case, therefore, the amount paid for an item by a buyer to any seller covered by this supplementary regulation, plus any amount paid by that buyer to a broker, must not exceed the ceiling price established under this supplementary regulation for sales by the seller of the item to that buyer (plus any additional charges allowed under section 2.17 of the BABR). In other words, the seller may not collect from the buyer any more than his ceiling price established under this supplementary regulation for the item (plus any additional charges allowed under section 2.17 of the BABR), less any amount the buyer pays the broker.

6. Section 80 in Article X is changed to read as follows:

Sec. 80. When this supplementary regulation becomes effective. The effective date of this supplementary regulation for all of your items is February 1, 1952. You may, however, select any earlier effective date between October 31, 1951, and February 1, 1952, for any or all of your items, but you may not sell any item (covered by this supplementary regulation) on and after February 1, 1952, unless you have calculated your ceiling price for that item under this supplementary regulation. In addition, if you are required (by the section under which the ceiling price for an item is determined) to have in your records by a specified date an appropriate OPS Form relating to that item, you may not sell that item on and after the specified date unless you have first filled out that Form and placed it in your files.

(Sec. 704, 64 Stat. 816, as amended; 50 U.S. C. App. Sup. 2154)

Effective date. This amendment is offective January 23, 1952.

Note: The record-keeping and reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

MICHAEL V. DISALLE, Director of Price Stabilization.

JANUARY 18, 1952.

[F. R. Doc. 52-873; Filed, Jan. 18, 1952; 11:48 a. m.]

[General Overriding Regulation 9, Amdt. 13]

GOR 9—Exemption of Certain Industrial Materials and Manufactured GOODS

RUTILE ORES AND CONCENTRATES

Pursuant to the Defense Production Act of 1950, as amended (Pub. Law 774, 81st Cong., Pub. Law 96, 82d Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this amendment to General Overriding Regulation 9, is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment to General Overriding Regulation 9 exempts from price. control all sales of imported and domestic rutile ores and concentrates, and the allied services of mining and processing such materials. Rutile is a natural titanium dioxide mineral used in the manufacture of welding rods, ferrotitanium products and titanium metal.

The annual sales of rutile in the United States are estimated to be substantially less than five million dollars. Certain pricing problems have arisen with respect to this material, and it has become apparent that appropriate solution for these problems would involve time and effort quite disproportionate to the importance of this commodity in the stabilization program. An appropriate price action for rutile would have to deal with many complex circumstances. Approximately 50 percent of this material is imported, the largest source being Australia, while the other 50 percent is mined domestically. Different price problems arise in each of these connections. With respect to the imported supply, the price must be set high enough to permit United States importers to bid . in the world market. With respect to the domestic portion of the supply, there have been recent changes in the recovery rate of the ore, and further study would be required to discover an appropriate price in view of these changed circumstances. In addition, prices or margins would have to be established for various processors and handlers of this material, both when domestically produced and when imported. The establishment of such margins would be further complicated by the fact that the market for zircon, a corollary material produced in the mining of rutile, has been depressed. A pricing action which would appropriately recognize all of these difficulties would require time and effort out of proportion to the economic significance of the commodity.

Yet rutile is a vital material in the defense program. Ferrotitanium alloys are used by the major metal industries in the nation. The metal titanium has many strategic applications in the defense program where it is being used increasingly for aircraft, ordnance, submarine parts, jet engines, rockets, as well as having classified applications in the atomic energy field. The increased requirements of the defense program will call for substantially increased domestic production and importation of rutile ores and concentrates. Because of the vital. character of this commodity to the defense program, any substantial delay in working out an appropriate structure of price controls might interfere with the progress of the defense effort.

For the reasons set forth above, the Director has determined that this is an appropriate instance for the exercise of his authority to exempt commodities from price control.

In formulating this amendment, the Director of Price Stabilization has consulted with industry representatives and has given consideration to their recommendations.

AMENDATORY PROVISIONS

General Overriding Regulation 9 is amended in the following respects:

1. Section 2 (a) (23) is added to read as follow:

(23) Sales of rutile ores and concentrates and services of mining and processing rutile ores and concentrates. "Rutile ores and concentrates" includes any rutile ore in a crude state or in concentrated, beneficiated or sized form. "Mining and processing" includes extraction, concentration, beneficiation, cleaning, grinding and repackaging.

(Sec. 704, 64 Stat. 816, as amended; 50 U.S. C. App. Sup. 2154.)

Effective date. This Amendment 13 to General Overriding Regulation 9 shall become effective January 18, 1952.

MICHAEL V. DISALLE, Director of Price Stabilization.

JANUARY 18, 1952.

[F. R. Doc. 52-874; Filed, Jan. 18, 1952; 11:48 a. m.]

Chapter VI—National Production Authority, Department of Commerce

[CMP Regulation No. 1, Direction 7, Revocation]

CMP Reg. 1—Basic Rules of the Controlled Materials Plan

DIR. 7—SHIPMENTS OF CONTROLLED MATERIALS IN THE FOURTH QUARTER OF 1951
WHICH WERE SCHEDULED FOR SHIPMENT
IN THE THIRD QUARTER OF 1951

Direction 7 to CMP Regulation No. 1 is hereby revoked.

This revocation does not relieve any person of any obligation or liability incurred under Direction 7 to CMP Reguation No. 1, nor deprive any person of any rights received or accrued under that direction prior to the effective date of this revocation.

(Sec. 704, 64 Stat. 816, Pub. Law 96, 82d Cong.; 50 U.S. C. App. Sup. 2154)

This revocation is effective January 18, 1952.

NATIONAL PRODUCTION AUTHORITY, By John B. Olverson, Recording Secretary.

[F. R. Doc. 52-857; Filed, Jan. 18, 1952; 11:19 a.m.]

[CMP Regulation No. 3, Direction 1, Revocation]

CMP Reg. 3—Preference Status of De-LIVERY ORDERS UNDER THE CONTROLLED MATERIALS PLAN

DIR. 1—STATUS OF ORDERS FOR DELIVERY OF CONTROLLED MATERIALS DURING SEPTEMBER 1951

Direction 1 to CMP Regulation No. 3 is hereby revoked.

This revocation does not relieve any person of any obligation or liability incurred under Direction 1 to CMP Regulation No. 3, nor deprive any person of

any rights received or accrued under that direction prior to the effective date of this revocation.

(Sec. 704, 64 Stat. 816, Pub. Law 96, 82d Cong.; 60 U. S. C. App. Sup. 2154)

This revocation is effective January 18, 1952.

NATIONAL PRODUCTION
AUTHORITY,
By John B. Olverson,
Recording Secretary,

[F. R. Doc. 52-858; Filed, Jan. 18, 1952; 11:19 a.m.]

[CMP Regulation No. 3, Direction 2, c Revocation]

CMP Reg. 3—Preference Status of De-LIVERY ORDERS UNDER THE CONTROLLED MATERIALS PLAN

DIR. 2—AUTOMATIC CONVERSION OF DELIVERY ORDERS BEARING CERTAIN RATINGS

Direction 2 to CMP Regulation No. 3 is hereby revoked.

This revocation does not relieve any person of any obligation or liability incurred under Direction 2 to CMP Regulation No. 3, nor deprive any person of any rights received or accrued under that direction prior to the effective date of this revocation.

(Sec. 704, 64 Stat. 816, Pub. Law 95, 82d Cong.; 50 U. S. C. App. Sup. 2154)

This revocation is effective January 18, 1952.

NATIONAL PRODUCTION
AUTHORITY,
By JOHN B. OLVERSON,
Recording Secretary.

[F. R. Doc. 52-859; Filed, Jan. 18, 1952; 11:19 a, m.]

[CMP Regulation No. 3, Direction 3, Revocation]

CMP Reg. 3—Preference Status of De-LIVERY ORDERS UNDER THE CONTROLLED MATERIALS PLAN

DIR. 3—STATUS OF CERTAIN ORDERS FOR CONTROLLED MATERIALS DURING THE FOURTH QUARTER OF 1951

Direction 3 to CMP Regulation No. 3 is hereby revoked.

This revocation does not relieve any person of any obligation or liability incurred under Direction 3 to CMP Regulation No. 3, nor deprive any person of any rights received or accrued under that direction prior to the effective date of this revocation.

(Sec. 704, 64 Stat. 816, Pub. Law 86, 82d Cong.; 50 U. S. C. App. Sup. 2154)

This revocation is effective January 18, 1952.

NATIONAL PRODUCTION
AUTHORITY,
By John B. Olverson,
Recording Secretary.

[F. R. Doc. 52-880; Filed, Jan. 18, 1852; 11:19 a.m.]

RULES AND REGULATIONS

[CMP Regulation No. 6, Direction 3, Revocation]

CMP Reg. 6—Construction Under-the Controlled Materials Plan .

DIR. 3—SHIPMENTS OF CONTROLLED MATE-RIALS IN THE FOURTH QUARTER OF 1951 WHICH WERE SCHEDULED FOR SHIPMENT IN THE THIRD QUARTER OF 1951

Direction 3 to CMP Regulation No. 6 is hereby revoked.

This revocation does not relieve any person of any obligation or liability incurred under Direction 3 to CMP Regulation No. 6, nor deprive any person of any rights received or accrued under that direction prior to the effective date of this revocation.

(Sec. 704, 64 Stat. 816, Pub. Law 96, 82d Cong.; 50 U. S. C. App. Sup. 2154)

This revocation is effective January 18, 1952.

NATIONAL PRODUCTION
AUTHORITY,
By JOHN B. OLVERSON,
Recording Secretary.

[F. R. Doc. 52-861; Filed, Jan. 18, 1952; 11:19 a. m.]

Chapter XVIII—National Shipping Authority, Maritime Administration, Department of Commerce

[NSA Order No. 6 (INS-1, Amdt. 2)]

INS-1—MARINE PROTECTION AND INDEM-NITY INSURANCE INSTRUCTIONS UNDER GENERAL AGENCY AND BERTH AGENCY AGREEMENTS

VESSELS INSURED, TERMS OF INSURANCE AND INSURANCE PREMIUMS

Effective as of March 23, 1951, section 4 and paragraph (a) of section 7 of NSA Order No. 6 (INS-1) published in the FEDERAL REGISTER issue of May 30, 1951 (16 F. R. 5057) are amended and revised to read:

1. Section 4. Vessels in sured and terms of insurance, is amended and revised to read as follows:

Sec. 4. Vessels insured and terms of insurance. The Underwriters have agreed to and will provide protection and ' indemnity insurance with respect to Liberty type, Victory type and C1-M-AV1 type cargo vessels owned by the United States of America at an annual rate of \$1.90 per gross registered ton, attaching as provided for in section 5 (a), (b), (c), and (d) hereof, on a pro rata daily basis, and terminating March 31, 1952, midnight, e. s. t., with adjustments if vessels are withdrawn prior to the aforesaid termination date, at a valuation of \$1,250,000 per vessel with deductible averages of \$500 on personal injury, illness or death claims for each accident or occurrence; \$5,000 on cargo claims on each outward or homeward voyage including baggage and personal effects; and \$250 on claims of other types for each accident or occurrence.

The Underwriters have also agreed to and will provide protection and indemnity insurance with respect to the S. S. "Washington" and S. S. "LaGuardia" or similar type vessels at an annual rate of \$3.00 per gross registered ton, attaching as provided for in section 5 (a), (b), (c) and (d) hereof, on a pro rata daily basis and terminating March 31, 1952, midnight, E. S. T., with adjustments if vessels are withdrawn prior to the aforesaid termination date, at a valution of \$1,250,000 per vessel with deductible averages of \$500 on personal injury, illness or death claims for each accident or occurrence and \$250 on claims of other types for each accident or occurrence. Liability for cargo and passengers are assumed by the Military Sea Transportation Service.

2. In paragraph (a) of section 7 Insurance premiums, delete the date "December 31, 1951" immediately following the word "to" and insert in lieu thereof the date "March 31, 1952".

All provisions of NSA Order No. 6 (INS-1) and NSA Order No. 6 (INS-1, Amendment 1) not in conflict herewith shall remain in full force and effect.

(Sec. 204, 49 Stat. 1987 as amended; 46 U. S. C. 1114)

Approved: January 11, 1952.

[SEAL] C. H. MCGUIRE, Director.

National Shipping Authority.

[F. R. Doc. 52-764; Filed, Jan. 18, 1952; 8:48 a. m.]

Chapter XXI—Office of Rent Stabilization, Economic Stabilization Agency

[Rent Regulation 1, Amdt. 13 to Schedule A] [Rent Regulation 2, Amdt. 11 to Schedule A]

RR 1-Housing

RR 2—Rooms in Rooming Houses and
OTHER ESTABLISHMENTS

SCHEDULE A-DEFENSE RENTAL AREA

ARIZONA AND ALASKA

Amendment 13 to Schedule A of Rent Regulation 1—Housing and Amendment 11 to Schedule A of Rent Regulation 2—Rooms in Rooming Houses and Other Establishments. Said regulations are amended in the following respect:

In Schedule A, item 370 is amended to read and new item 13 is added, as follows:

State and name of defense-rental area	Class	County or counties in defense-rental areas under regulation	Maximus rent dat	
Arizona (13) Fort Huachuca	A	In Cochise County, district 1	June 1, 1	951 Jan. 21, 1952
(370) Alaska	B. 0	Terrifory of Alaska. In the Terrifory of Alaska, all the area within a 20-mile radius surrounding the post office of each of the following localities: The city of Anchorage, the city of Fairbanks, Eielson Air Force Base, Elmendorf Air Force Base, and Fort Richardson. Kodiak Island.	Mar. 1, 19 July 1, 19	

These amendments are issued as a result of joint certifications pertaining to critical defense housing areas by the Secretary of Defense and the Director of Defense Mobilization under section 204 (1) of the Housing and Rent Act of 1947, as amended, and a determination as to the relaxation of real estate construction credit controls under section 204 (m) of said act.

(Sec. 204, 61 Stat. 197, as amended; 50 U.S.C. App. Sup. 1894)

These amendments shall be effective January 21, 1952. Issued this 16th day of January 1952.

TIGHE E. WOODS,
Director of Rent Stabilization,

[F. R. Doc. 52-741; Filed, Jan. 18, 1952; 8:48 a. m.]

[Rent Regulation 3, Amdt. 31 to Schedule A]

RR 3—HOTELS

SCHEDULE A-DEFENSE RENTAL AREA

ARIZONA AND ALASKA

Amendment 31 to Schedule A of Rent Regulation 3—Hotels. Said regulation is amended in the following respect.
'In Schedule A, item 13 is added and item 370 is amended to read, all as follows:

Name of defense- rental area	State	County or counties in defense-rental area under Rent Regulation 3 ren		Effective date of regulation
(13) Fort Huachuca (370) Alaska	Arizona Alaska	In Cochise County, district 1. In the Territory of Alaska, all the area within a 20-mile radius surrounding the post office of each of the following localities: The city of Anchorage, the city of Fairbanks, Eielson Air Force Base, Ladd Air Force Base, Ladd Air Force Base and Fort Richardson. Kodiak Island.	June 1, 1951 July 1, 1950	Jan. 21, 1052 Oct. 1, 1951 Jan. 21, 1952

This amendment is issued as a result of joint certifications pertaining to critical defense housing areas by the Secretary of Defense and the Director of Defense Mobilization under section 204 (I) of the Housing and Rent Act of 1947, as amended, and a determination as to the relaxation of real estate construction credit controls under section 204 (m) of said act.

(Sec. 204, 61 Stat. 197, as amended; 50 U.S.C. App. Sup. 1894)

This amendment shall be effective January 21, 1952.

Issued this 16th day of January 1952.

TIGHE E. WOODS, Director of Rent Stabilization.

[F. 7. Doc. 52-740; Filed, Jan. 18, 1952; 8:48 a. m.]

TITLE 41—PUBLIC CONTRACTS

Chapter II—Division of Public Contracts, Department of Labor

> PART 202-MINIMUM WAGE DETERMINATIONS

PAINT AND VARNISH INDUSTRY

This matter is before the Department pursuant to the act of June 30, 1936 (49 Stat. 2036; 41 U.S. C. 35) entitled "An act to provide conditions for the purchase of supplies and the making of contracts by the United States, and for other purposes," otherwise known as the Walsh-Healey Public Contracts Act. The currently effective wage determination (15 F. R. 382) was based upon information indicating that substantially all employees in the paint and varnish industry (hereinafter referred to as the Industry) are engaged in commerce or in the production of goods for commerce, as defined in the Fair Labor Standards Act, as amended, and thus come under the minimum wage provisions of that act which require payment of a wage rate of not less than 75 cents per-hour on and after January 25, 1950. The survey of paint and varnish establishments made by the Bureau of Labor Statistics as of April 1950 (hereinafter referred to as the BLS survey) indicated that the 75 cent rate now in effect might not reflect the prevailing minimum wage in the Indus-This proceeding was, therefore, initiated for the purpose of considering an amendment to the determination for the Industry which will reflect the minimum wages now prevailing.

General. Notice of a hearing in this matter was published in the FEDERAL REGISTER (15 F. R. 5535). Copies of the notice and a press release announcing the hearing were mailed to trade associations, unions, and to individual companies in the industry. In addition, the press release was distributed to news-

papers and trade publications.

This notice and release advised interested persons of the time and place at which they could appear and offerotestimony: (1) As to what are the prevailing minimum wages in the industry; (2) as to whether there should be included in any amended determination for this industry provision for employment of learners and/or apprentices at subminimum rates, and if so, in what occupations, at what subminimum rates. and with what limitations, if any, as to length of period and number or proportion of such subminimum rate employees; and (3) as to whether the definition of the industry should be amended to read as follows:

The paint and varnish industry is defined as that industry which manufactures or furnishes any of the following products: Pigments and colors either in dry or paste form; varnishes; lacquers and enamels; fillers, putty and top dressings; paint and varnish removers; furniture and floor wax; lacquer thinners; waterproofing compounds; and artists' oil and water colors.

Copies of tables prepared from the BLS survey were made available to interested persons upon request.

The hearing was held on September 14, 1950, pursuant to the notice. Representatives of employees and employers appeared at the hearing to present evidence and testimony, and the record was kept open for a specified period beyond the close of the hearing for receipt of additional data and briefs.

Among others present at the hearing were representatives of the following: District 50, United Mine Workers of America; Brotherhood of Painters, Decorators and Paperhangers of America (AFL); and the National Paint, Varnish and Lacquer Association (hereinafter referred to as the Association). In addition to the evidence and testimony presented at the hearing, the Association submitted a brief for the record after the close of the hearing. Although not present at the hearing, the International Chemical Workers Union (AFL) submitted a brief for the record after the close of the hearing.

Definition of industry. In formulating the proposed definition of the industry the Department's staff consulted with representatives of the principal parties. The scope of the proposed definition differs only slightly from the scope of the currently effective definition, and the proposed changes are designed primarily to clarify the present definition of the industry. There was no objection at the hearing to the proposed definition. The definition which is hereby adopted for this amended determination is the same as that contained

in the notice of hearing.

Minimum wage. The basic data on minimum wages in the industry are contained in the BLS survey which was received as evidence at the hearing and was discussed by the various witnesses who testified. Neither the unions nor the employers questioned the adequacy of the coverage or the accuracy of the survey. The survey covered establishments regardless of size, and covered an estimated 63 percent of the establishments in the industry. The establishments covered employ approximately 76 percent of all plant workers in the industry. The data were tabulated for the United States as a whole and by regions. The tabulation (Exhibit D) consists of 9 numbered tables (hereinafter referred to as Table 1, 2, 3, 3a, etc.). The most significant data are those showing the percentage distribution of

straight-time earnings (Table 2), base rate for common laborers (Table 3). plant minima and distributions of plants (and plant workers) according to the proportion of plant workers in each establishment earning less than specified amounts per hour (Table 5), and minimum entrance or probationary rates for unskilled laborers (Table 4).

Representatives of three unions having collective wage agreements with some employers in the industry recommended determination of one prevailing minimum wage on a Nation-wide basis without regional differentials. The Brotherhood of Painters, Decorators and Paperhangers of America, AFL, recommended a \$1.00 an hour minimum. The International Chemical Workers Union, AFL, contended that as of April 1950, the prevailing minimum wage for the industry was around \$1.05 an hour due to the fact that the BLS survey (Table 5) shows that 43.2 percent of the establishments employing 47.8 percent of the workers pay no workers less than \$1.05 an hour. The Chemical Workers Union stated that there has been an average 10 cents an hour increase in their contracts negotiated since the time of the survey and they therefore urged that a prevailing minimum wage of \$1.15 an hour be determined. District 50, United Mine Workers of America, urged a minimum of \$1.28, stating that an analysis of its contracts as of October 1949 showed the minimum job rate to be \$1.18, and that there had been an average 10 cents an hour increase in contracts negotiated since that time. Employee and employer representatives agreed at the hearing that the industry cannot be characterized as organized to the extent that any of the collective agreement rates can be said to constitute, as such, the prevailing minimum wage.

With regard to the union recommendations that the prevailing minimum wage for the industry be determined on a Nation-wide basis without regional differentials, it should be noted that the survey data shows a marked variance in wages paid in the Southeast and Southwest regions and those paid in other regions. For example, the average wage level in the Southeast region was shown to be 30 cents below the national average of \$1.37 an hour, and in the Southwest the average was 20 cents below the national average. Table 5 shows that in the Southeast' and Southwest regions only 15 of the 123 plants (12.2 percent) pay \$1.00 an hour or more to all plant workers (exclusive of learners and apprentices), and that these plants employ only 22.6 percent of the experienced workers in these regions. On the basis of these figures it appears that 87.8 percent of the plants employing 77.4 percent of the workers in the Southeast and Southwest regions would have to raise wages to meet even the lowest minimum rate of one dollar proposed by the unions. Data presented at the hearing indicated

The Southeast region consists of the states of Alabama, Arkansas, Florida, Geor-gia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee and Virginia; and the Southwest region includes Oklahoma and

that there are certain economic factors which tend to limit shipments of the products of the industry within the regions in which they are produced. These factors, plus the distinct wage patterns shown for the Southeast and Southwest regions, clearly warrant a regional differential.

The Association (representing 1,200 firms producing 90 percent of the paint and varnish in the United States) contended that the "base rate for common laborers" (Table 3) represents the bottom of the wage structure for each individual plant and for the industry, and as such is the only significant table. The Association urged that a 75 cents an hour minimum be determined for the Southeast and Southwest regions including the so-called Border States, consisting of Delaware, Maryland, District of Columbia, West Virginia, and Ken-tucky, on the ground that over one-third of the plants in those regions had a base rate for common laborers of 75 cents an hour. The Association recommended 85 cents for the remainder of the country on the ground that one-third of the plants in the entire United States had a base rate of 85 cents or less.

With regard to the Association's recommendation that the Border States be included with the Southeast and Southwest regions for wage determination purposes, a reference to the survey data shows that such inclusion is not warranted. While average wages in the Southeast and Southwest regions are respectively 30 cents and 20 cents below the national average, the Border States show an average wage only 3 cents below the national level. Table 5 shows that a majority of the experienced workers in the Southeast and Southwest regions combined are employed in plants that pay some workers less than 85 cents an hour, whereas a majority of workers in the Border States are employed in plants that pay no workers less than \$1.05 an hour. Moreover, for the United States exclusive of the Southeast and Southwest, 50.3 percent of the workers were employed in plants which paid no workers less than \$1.05 an hour; the corresponding percentage for the Border States is 50.2. It is clear from the data that wages in the Border States are more in line with those paid in the United States, exclusive of the Southeast and Southwest regions.

Three different aspects of the wage structure in this industry are reflected by the BLS survey data pertinent to determination of the prevailing minimum wage for the United States (exclusive of the Southeast and Southwest regions). (1) Using base rates for common labor (Table 3) and considering data for the United States exclusive of the Southeast and Southwest regions, it appears that a majority (58.5 percent) of the plants reporting base rates for common labor, employing 72.7 percent of the workers, have a base rate of \$1.00 or more: and that less than a majority (42.7 percent), employing 63.3 percent of the workers, have base rates of \$1.05 or more. (2) Using plant minimum rates actually being paid, except to learners and apprentices (Table 5) it appears that a majority of the plants (59.7 percent), employing 63.3 percent of the workers, pay no workers less than \$1.00 an hour; and that less than a majority of plants (46.8 percent), employing 50.3 percent of the workers, pay no workers less than \$1.05 an hour. (3) Using rates paid to plant workers, except learners and apprentices, (Table 2) it appears that only 7.7 percent of the experienced workers actually receive wages less than \$1.00 an hour, and that the interval of 100.0-104.9 contains the largest concentration of workers (3.7 percent). The table shows that the heaviest grouping appears at the lower end of this wage interval. These data clearly establish that the prevailing minimum wage for the United States, (Exclusive of the Southeast and Southwest) as of April 1950 was in the range from \$1.00 to \$1.05 an hour.

In addition to this BLS survey data, evidence of wage increases between the date of the survey in April 1950 and the closing of the record in December 1950 should be noted. Representatives of the three unions stated at the hearing that new contracts provided for hourly increases of approximately 10 cents. Spokesmen for the Industry disclaimed definite knowledge of the amount or extent of such increases. The record does not contain any definite and specific evidence of such amounts: Data gathered from miscellaneous sources and not directly connected with this proceeding do, however, indicate some increases during the period stated. Average hourly earnings as reported by BLS (adjusted to eliminate overtime premiums) increased from \$1.436 for April 1950 to \$1.472 for September 1950, an increase of 3.6 cents, and to \$1.518, or an additional 4.6 cents between September 1950 and December 1950, the time of the closing of the record. Although this indication of total increase of 8.2 cents an hour. between the time of the BLS survey and the closing of the record, lacks the precision of the survey tables, nevertheless when considered together with the evidence of record and reports of increases in individual plants collected and re-leased by BLS, it tends to establish the fact that minimum wage rates have increased to some extent during the period in question.

I have concluded that the record, including indefinite evidence of increases between the survey and the closing of the record which is corroborated by Government publications based on secondary sources, supports a determination that \$1.05 an hour is the prevailing minimum wage for the Paint and Varnish Industry in the United States (exclusive of the Southeast and Southwest regions).

With respect to the Southeast and Southwest regions, Table 3 shows that the majority (53.3 percent) of the workers are employed in plants that have a base rate for common laborers of 80 cents or higher, but that two-thirds (68.4 percent) of the plants employing 46.7 percent of the workers reported a base rate of less than 80 cents. Table 5 shows that the majority (51.8 percent)

of the workers are employed in plants with no workers (other than learners or apprentices) earning less than 80 cents an hour although only a little more than a third (35.8 percent) of the plants pay all their workers at least 80 cents. Table 2 shows that at the time of the survey 12.3 percent of the workers received less than 80 cents an hour, most of whom received 75 cents an hour. When consideration is given to the fact that a majority of the workers are employed in plants where no workers (other than learners and apprentices) are paid less than 80 cents, and that wage increases have been granted between the time of the BLS survey and the close of the record, I have concluded that the record supports a finding that 80 cents an hour is the prevailing minimum wage for the Southeast and Southwest regions.

For the higher wage area, the Association proposed that there be allowed a 5-cents an hour differential for probationary workers. The unions, although opposing a subminimum rate, did indicate that probationary rates appear in some of their contracts. After the close of the hearing, the Administrator of the Public Contracts Division requested retabulation by the BLS of the original survey data to show the probationary data separately for the two wage areas discussed above. This retabulation is designated and made part of the record as Supplementary Table 1 and is available for distribution to interested persons. This table shows that in the higher wage area more than a quarter of the plants employing approximately one-half of the workers have a subminimum rate for probationary workers and the majority of such plants have a probationary rate below \$1.05. Table 6 shows that over 90 percent of the plants reporting probationary rates have at least a 5-cents an hour differential. The record, accordingly, shows that a sub-minimum hiring rate for beginners is customary in the area and that a 5-cents an hour differential is reasonable.

The Association requested a 6 months probationary period. Table 7 shows that of plants reporting probationary rates 7 percent have no set probationary period, 37.3 percent a period less than 3 months, 26.3 percent a period of at least 3 months but less than 6 months, and less than 30 percent have a period of 6 months or more. Because the record shows no uniformity of practice as to the length of the probationary period, and because it usually requires a short time for employees working at minimum-rate jobs to adapt themselves to the job, I find that 480 hours is a reasonable tolerance for probationary workers.

Supplementary Table 1 shows that, in the Southeast and Southwest regions, only one plant (employing 5 plant workers) reported a probationary rate below 80 cents an hour. Consequently, there does not appear to be a need for a tolerance for probationary workers in these regions.

No proposal for learner or apprentice tolerances was made although the notice of hearing invited information and arguments relative to the need for the employment of learners or apprentices at subminimum rates. Both the Associa-

² Monthly Labor Review, May 1951.

Monthly Report on Current Wage Developments—Bureau of Labor Statistics.

tion and the unions asserted that learners and apprentices, as such, are uncommon in the Industry. Consequently, no provision is made for the employment of learners and/or apprentices at subminimum rates.

The regulations (41 CFR 201.1102) permit employment of handicapped workers at subminimum rates on contract work under the Act and this authorization was not an issue in the proceeding. It seems advisable to include in the determination, however, specific authorization for such employment.

Amendment of determination. After consideration of the entire record of this proceeding, the prevailing minimum wage determination for the paint and varnish industry is hereby amended to read as follows:

§ 202.41 Paint and varnish industry-(a) Definition. The paint and varnish industry is defined as that industry which manufactures or furnishes any of the following products: Pigments and colors either in dry or paste form; paints mixed ready for use or in dry or paste form; varnishes, lacquers and enamels; fillers, putty and top dressings; paint and varnish removers; furniture and floor wax; lacquer thinners; waterproofing compounds; and artists' oil and water colors.

(b) Minimum wages. The minimum wage for persons employed in the manufacture or furnishing of products of the paint and varnish industry under contracts subject to the Walsh-Healey Pub-, lic Contracts Act shall be 80 cents an hour arrived at either on a time or piecerate basis in the States of Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas and Virginia, and the minimum wage shall be \$1.05 an hour arrived at either on a time or piece-rate basis in the remaining States of the United States and the District of Columbia.

(c) Subminimum wages authorized. (1) Where \$1.05 an hour is the minimum wage, beginners or probationary workers as defined in this paragraph may be employed for 480 hours at \$1.00 an hour arrived at either on a time or piece-rate A beginner or probationary worker for the purpose of this section is a person who has less than 480 hours experience in the plant in which he is employed.

(2) Handicapped workers may be employed at wages below the minimum rates upon the same terms and conditions as are prescribed for the employment of handicapped workers by the regulations of the Administrator of the Wage and Hour Division of the Department of Labor (29 CFR Parts 524 and 525), under section 14 of the Fair Labor Standards Act, as amended.

(3) The Administrator of the Public Contracts Division is authorized to issue certificates under the Public Contracts Act for the employment of handicapped workers not subject to the Fair Labor Standards Act or subject to different minimum rates of pay under the two acts, at appropriate rates of compensation and in accordance with the standards and procedures prescribed by the

applicable regulations issued under the Fair Labor Standards Act.

(d) Effect on other obligations. Nothing in this section shall affect any obligations for the payment of minimum wages that an employer may have under any law or agreement more favorable to employees than the requirements of this section.

(Sec. 4, 49 Stat. 2038; 41 U. S. C. 38. Interprets or applies sec. 1, 49 Stat. 2036; 41 U. S. C. 35)

Effective date. This determination shall be effective and the minimum wages hereby established shall apply to all contracts subject to the Public Contracts Act, bids for which are solicited or negotiations commenced on or after February 17, 1952.

Signed at Washington, D. C., this 10th day of January 1952.

> MAURICE J. TOBIN, Secretary of Labor.

[F. R. Doc. 52-722; Filed, Jan. 18, 1952; 8:45 a. m.]

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

[Docket No. 30920]

PART 10-UNIFORM SYSTEM OF ACCOUNTS FOR STEAM ROADS

Amortization accounting for emergency CARRIER FACILITIES

At a general session of the Interstate Commerce Commission held at its office in Washington, D. C., on the 21st day of December A. D. 1951.

Investigation of the matters and things involved in this proceeding having been made, and a report containing the findings of fact and conclusions thereon having been adopted on the date hereof, which report was filed as part of F. R. Doc. 51-15371, 16 F. R. 13145:

It is ordered, That operating expense accounts 1207, "Road—Amortization of defense projects," and 1234, "Equipment-Amortization of defense projects," as prescribed for Class II steam railroads embraced within \$10.480 and operating expense accounts 2206, "Road-Amortization of defense projects," and 2232, "Equipment-Amortization of defense projects," as prescribed for Class III steam railroads, embraced within § 10.490, both by order dated December 4, 1946, be and they are hereby canceled, such cancellation to become effective January 1, 1952; and

It is further ordered. That any charges which have been included in accounts 1207, "Road-Amortization of defense projects," 1234, "Equipment-Amortization of defense projects," 2206, "Road-Amortization of defense projects," and 2232, "Equipment—Amortization of defense project", applicable to emergency facilities acquired after December 31, 1949, shall be reversed; and

It is further ordered, That all steam

railroads subject to provisions of the Interstate Commerce Act, shall be served with a copy of this order and notice of the order shall be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

(Sec. 12, 24 Stat. 383, as amended; 49 U.S.C. 12. Interprets or applies sec. 20, 24 Stat. 386, as amended; 49 U.S. C. 20)

By the Commission.

[SEAL]

W. P. BARTEL. Secretary.

[F. R. Doc. 52-696; Filed, Jan. 18, 1952; 8:48 a. m.l

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR Part 972]

[Docket No. AO-177-A11]

HANDLING OF MILK IN THE TRI-STATE MARKETING AREA

NOTICE OF HEARING ON A PROPOSED AMEND-MENT TO THE TENTATIVE MARKETING AGREEMENT AND TO THE ORDER, AS

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of a public hearing to be conducted at the Market Administrator's Office, 64 State Street, Gallipolis, Ohio, beginning at 10:00 a.m., e. s. t., on January 24, 1952, for the purpose of receiving evidence with respect to the following proposed amendment, or appropriate modifications thereof, to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Tri-State marketing area (7 CFR Part 972). This proposed amendment was submitted by Southeastern Ohio Cooperative Dairy Sales Association and has not been approved by the Secretary of Agriculture.

1. Amend § 972.5 (b) to read as follows:

(b) Subject to the provisions of paragraphs (e), (f), (g), and (h) of this section, the price for Class I milk shall be the basic formula price plus the following amounts for the delivery periods indicated:

Delivery period	Huntington district plants	Other plants
May and June	\$1.10	\$0.00
March, April, July, and August	1.20	1.00
September through February	1.35	1.15

plus or minus "a supply-demand adjustment" computed as follows:

(1) Divide the total gross volume of Class I and Class II milk (less inter-handler transfers) at either Huntington District plants or all fluid milk plants of handlers in the second and third months preceding by total receipts of producer milk for the same months in the respective areas, multiply the result by 100, and round to the nearest whole numbers. The result shall be known as the current supply-demand percentage.

(2) Compute a net deviation percentage by subtracting from the current supply-demand percentage as computed in subparagraph (1) of this paragraph, the respective base period ratios shown

below:

Month for which price is being computed	,	Base period ration (percent)		
	Months used to compute ratio	Hunt- ington district plants	All fluid milk plants	
January February March April May June July August Beptember October November December	October, November. November, December December, January. January, February February, March March, April April, May May, June June, July July, August August, September. September, October.	120 122 123 123 115 102 84 77 79 88 88 104	108 110 108 107 100 90 75 68 70 74 81	

(3) Using the higher net deviation percentage, determine the amount of the supply-demand adjustment as follows:

	Supply-demand adjustment for specified months is—			
If net deviation percentage is—	March, April, July, August	May and June	September through February	
+18 or over +15 or +16	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	144458947-045888888888888888888888888888888888888	+84 +72 +60 +48 +48 +24 -17 -29 -35 -47 -50	

When the difference from the base period Class I and Class II utilization percentage does not fall within the tabulated brackets, the adjustment shall be determined by the adjacent bracket which is the same as or nearest to the bracket used in the previous month: Provided, That if in the first month this provision is in effect the difference from the base périod Class I and Class II utilization percentage does not fall within the tabulated brackets, the adjustment shall be the same as if the provision had been in effect the previous month; and the Class I differential adjusted pursuant to this subparagraph for each of the months of December, January and February shall not be less than the adjusted differential for the immediately preceding month of November; and that for each of the months of July.

August, September, and October, the adjusted differential shall not be less than the adjusted differential for the immediately preceding month of June plus

- 2. Amend § 972.5 (c) to read as follows:
- (c) The price for Class II milk shall be the price for Class I milk minus \$0.30.

Copies of this notice of hearing may be procured from the Market Administrator, 64 State Street, Gallipolis, Ohio, or from the Hearing Clerk, Room 1353, South Building, United States Department of Agriculture, Washington 25, D. C., or may be there inspected.

Dated: January 16, 1952.

ROY W. LENNARTSON, [SEAL] Assistant Administrator.

[F. R. Doc. 52-767; Filed, Jan. 18, 1952; 8:49 a. m.1

NOTICES

DEPARTMENT OF THE TREASURY

Office of the Secretary

ORDER BLOCKING STEEL MILL BELONGING TO CZECHOSLOVAKIA OR NATIONALS THEREOF

I, John W. Snyder, Secretary of the Treasury, (a) acting under and by virtue of the authority which the President of the United States has delegated to the Secretary of the Treasury by Executive Order No. 9193, which was issued by virtue of and pursuant to the authority vested in the President by the Constitution, by the First War Powers Act, 1941, and by the Trading With the Enemy Act of October 6, 1917, as amended, (b) finding that the property described herein is property subject to the jurisdiction of the United States in which a foreign country, namely, Czechoslovakia, or a national thereof has an interest, (c) do hereby issue the following order:

(1) All of the following are prohibited except to the extent that they are licensed herein or hereafter by the Secretary of the Treasury: The acquisition, holding, use, transfer, withdrawal, transportation, exportation of and any other dealing in the said property and the exercise of any right, power, or privilege with respect thereto and all transactions

involving the said property.

(2) Any unlicensed acquisition or transfer and any other unlicensed dealing in or exercise of any right, power or privilege with respect to the said property and any unlicensed transaction with regard thereto is null and void and shall not be the basis for the assertion or recognition of any interest in or right, remedy, power or privilege with respect to the said property and unless licensed by the Secretary of the Treasury any attachment, judgment, decree, lien, execution, garnishment, or other judicial process is null and void with respect to the said property.

(3) The property affected by this Or-

der is as follows:

Steel mill components and certain auxiliary equipment manufactured or procured by the United Engineering and Foundry Company of Pittsburgh, Pennsylvania, on the order of or for or on belialf of the Banska e Hutni Spolecnost or Steel Works V. N. Molotov Corporation and/or other nationals of Czechoslovakia and in connection with which powers and/or interests may reside in Investa Limited Heavy Engineering Products Import & Export Company and/or Gillespie & Company of New York, Inc., and/or nationals of Czechoslovakia the components and auxiliary equipment or parts thereof being located at the following depositories:

American and Foreign Warehouse, Richmond Street, Philadelphia, Pennsylvania; Sperry Warehouse, Troy, New York; Burma Yard of the Pennsylvania Railroad, Philadelphia, Pennsylvania; and United Engineering and Foundry Company, Newcastle, Pennsylvania and Youngstown, Ohio.

The said components and auxiliary equipment comprise:

1-66" hot strip continuous 10 stand mill with 2 downcollers, 1 sheet piler, and other equipment.

1-64" wide 4 stand tandem cold mill for sheets and tin plate-electrical equipment of American manufacture.

wide temper pass mill sheet millelectrical equipment of American manufacture.

-48" temper pass tin plate mill—electrical equipment of American manufacture.

-44" wide electrolytic cleaning line including motor generator sets of American manufacture.

1—80" 4 high mill for cross rolling sheets—no electrical equipment.

1—38" wide tin plate shearing line—no elec-

trical equipment.

2—80" roll grinders including motors.

Certain parts for 62" wide continuous pickler, including processing uncoller, stitcher, dryer, flashwelder and electrical equipment

for flashwelder only.

Electrical equipment (for auxiliaries only)
for 46" blooming mill.

(4) American and Foreign Warehouse. Richmond Street, Philadelphia, Penn-sylvania; Sperry Warehouse, Troy, New York; Pennsylvania Railroad Company, Philadelphia, and United Engineering and Foundry Company are hereby licensed to perform all acts necessary and proper to the custody and physical safeguarding of the said property. Any liens or other rights which but for the existence of this order the said American and Foreign Warehouse, Sperry Warehouse, Pennsylvania Railroad Company, and United Engineering and Foundry Company would acquire by reason of law on. in or to the property by reason of acts performed in the custodianship and safeguarding thereof are also hereby licensed.

[SEAL] JOHN W. SNYDER, Secretary of the Treasury.

[F. R. Doc. 52-847; Filed, Jan. 17, 1952; 5:08 p. m.]

DEPARTMENT OF DEFENSE

Office of the Secretary

SECRETARIES OF THE ARMY, NAVY, AND AIR FORCE

DESIGNATIONS FOR PURPOSE OF IMPLEMENT-ING PROVISIONS OF SOCIAL SECURITY ACT AMENDMENTS OF 1950

I, Section 205 (p) (1), (2), and (3) of the Social Security Act (49 Stat. 620), as amended, (42 U.S. C. 405 (p) (1), (2), and (3)) vests in me certain powers, functions, and duties. Pursuant to the authority contained in the National Security Act of 1947 (61 Stat. 500), as amended, (5 U.S. C. 171a (f)) I hereby designate the Secretaries of the Army, Navy, and Air Force to exercise such of the powers, functions, and duties, enumerated in section 205 (p) (1) and (2) of the Social Security Act, as they are not already empowered to exercise, pertaining to the civilian employees within the cognizance of their respective Departments.

II. This designation is subject to revocation or modification, in whole or in part. at any time.

ROBERT A. LOVETT, Secretary of Defense.

JANUARY 14, 1952.

[F. R. Doc. 52-719; Filed, Jan. 18, 1952; 8:45 a. m.]

DEPARTMENT OF COMMERCE

Federal Maritime Board

KOKUSAI LINE ET AL.

NOTICE OF AGREEMENTS FILED FOR APPROVAL

Notice is hereby given that the following described agreements have been filed with the Board for approval pursuant to section 15 of the Shipping Act, 1916, as amended.

Agreement No. 7843, between the carriers comprising the Kokusai Line joint service and Waterman Steamship Corporation, covers the transportation of cargo under through bills of lading from the Far East to specified ports in Puerto Rico with transshipment at U. S. Pacific Coast Ports.

Agreement No. 7626-1, between Sir R. Ropner & Co. (Management) Ltd., The Pool Shipping Company Limited and The Ropner Shipping Company Limited, modifies the approved Ropner Line Joint Service Agreement (No. 7626) by extending its geographical scope to include the trades between U. S. Gulf ports and all United Kingdom ports. Agreement 7626 as presently in effect provides for the operation of the joint service in the trades between U. S. Gulf ports and the East Coast of the United Kingdom and/or ports in Northern Europe between and including French and German ports

Interested parties may inspect these agreements and obtain copies thereof at the Regulation Office, Federal Maritime Board, Washington, D. C., and may submit, within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to any of the agreements and their position as to approval, disapproval, or modification,

together with request for hearing should such hearing be desired.

Dated: January 16, 1952.

By order of the Federal Maritime Board.

[SEAL]

A. J. Williams, Secretary.

[F. R. Doc. 52-765; Filed, Jan. 18, 1952; 8:48 a. m.]

[No. M-50]

LUCKENBACH GULF STEAMSHIP Co., INC.

NOTICE OF HEARING ON APPLICATION TO BAREBOAT CHARTER A GOVERNMENT-OWNED, WAR-BUILT, DRY-CARGO VESSEL FOR EMPLOYMENT IN THE GULF/INTERCOASTAL SERVICE

Pursuant to section 3, Public Law 591, 81st Congress, notice is hereby given that an informal public hearing will be held at Washington, D. C., on January 28, 1952, at 10 o'clock a. m., in Room 4823, Department of Commerce Building, before Examiner C. W. Robinson, upon the application of Luckenbach Gulf Steamship Company, Inc., to bareboat charter a Government-owned, war-built, drycargo Victory-type vessel for employment in its Gulf/Intercoastal service.

The purpose of the hearing is to receive evidence with respect to whether the service for which such vessel is proposed to be chartered is required in the public interest and is not adequately served, and with respect to the availability of privately-owned American-flag vessels for charter on reasonable conditions and at reasonable rates for use in such service. Evidence also will be received with respect to any restrictions or conditions that may under the statute be included in the charter if the application should be granted.

All persons having an interest in the application will be given an opportunity to be heard if present.

The parties may have oral argument before the examiner immediately following the close of the hearing, in lieu of briefs, and the examiner will issue a recommended decision. Parties may have seven (7) days or such shorter time as may be agreed to at the hearing within which to file exceptions to, or memoranda in support of, the examiner's recommended decision, but the Board reserves the right to determine whether oral argument on exceptions will be granted and whether briefs in connection therewith will be received.

Dated: January 17, 1952.

By order of the Federal Maritime Board.

[SEAL]

A. J. WILLIAMS, Secretary.

[F. R. Doc. 52-778; Filed, Jan. 18, 1952; 8:50 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

[Public Announcement 8]

COLULIEIA BASIN PROJECT, WASHINGTON

SALE OF FULL-TIME FARM UNITS

DECEMBER 17, 1951.

Columbia Basin Project, Washington, Quincy-Columbia Basin Irrigation District. Public announcement of the sale of full-time farm units.

LANDS COVERED

Section 1. Offer of farm units for sale. It is hereby announced that certain farm units in the Quincy-Columbia Basin Irrigation District, Columbia Basin Project, Washington, will be sold to qualified applicants in accordance with the provisions of this announcement. Applications to purchase farm units may be substituted beginning at 2:00 p. m., January 15, 1952.

a. Farm units presently owned. The farm units which are presently owned by the United States, and hereby offered for sale, are described as follows:

	Form Total	Inigabla	Acresgo by land class			Nonirri-		
Irrigation block No.	- unit No.	ಕಡಬಾದಿತ	ರಚಚಾದಿತ	1 `	2	3	eldag	Price
72	THE SERVICE OF THE SE	80.6 81.0 102.0 80.1 70.7 76.1 88.0 48.8	71.3 72.2 81.7 67.8 72.6 73.0 74.9 70.8 41.8	29.5 4.9 3.6 15.9 74.7 33.7	40.0 70.0 43.6 61.5 67.1 1.2 8.1	1.8 4.3 33.1 21.4 11.1	9.3 1.8 81.2 12.4 7.5 6.7 3.2 17.2 7.0	\$1,728.89 1,535.27 1,859.67 1,610.00 1,173.77 1,255.91 1,182.03 924.13 2,620.71

b. Additional farm units. It is expected that, through the operation of its land acquisition program, the United States will, within twelve (12) months following the date of this announcement, own the whole of six (6) or more additional farm units in Irrigation Blocks 70, 701, 71, 72, and 73. Such farm units will be offered for sale under the provisions of this announcement.

The official plats of these irrigation blocks are on file in the office of the County Auditor, Grant County, Ephrata, Washington, and copies are on file in the offices of the Bureau of Reclamation at Ephrata, Washington, and the Regional office at Boise, Idaho.

Sec. 2. Limit of acreage which may be purchased. The lands covered by this announcement have been divided into farm units. Each of the farm units represents the acreage which, in the opinion of the Regional Director, Region 1, Bureau of Reclamation, will support an average-size family at a suitable level of living. The law provides that with certain minor exceptions not more than one farm unit in the entire project may be held by any one owner or family. A family is defined as comprising husband

or wife, or both, together with their children under 18 years of age, or all of such children if both parents are dead.

PREFERENCE RIGHT OF VETERANS OF WORLD WAR II

SEC. 3. Nature of preference. A preference right to purchase the farm units described above will be given to veterans of World War II (and in some cases to their husbands or wives or guardians of minor children) who submit applications during a 45-day period beginning at 2:00 p. m., January 15, 1952, and ending at 2:00 p. m., February 29, 1952, and who, at the time of making application, are in one of the following five classes:

a. Persons, including those under 21 years of age, who have served in the Army, Navy, Marine Corps, Air Force, or Coast Guard of the United States for a period of at least ninety (90) days at any time on or after September 16, 1940, and prior to the termination of World War II, and have been honorably discharged.

b. Persons, including those under 21 years of age, who have served in the Army, Navy, Marine Corps, Air Force, or Coast Guard during the period pre-scribed in subsection a. of this section regardless of length of service, and who have been discharged on account of wounds received or disability incurred during such period in the line of duty, or subsequent to a regular discharge, have been furnished hospitalization or awarded compensation by the government on account of such wounds or disability.

c. The spouse of any person in either of the first two classes listed in this section, if the spouse has the consent of such person to exercise his or her preference right. (See subsection 7. c. of this announcement regarding the provision that a married woman must be head of a family.)

d. The surviving spouse of any person in either of the first two classes listed in this section, or in the case of the death or marriage of such spouse, the minor child or children of such person by guardian duly appointed and qualified and who furnishes to the examining board acceptable evidence of such ap-

pointment and qualification.

e. The surviving spouse of any person whose death has resulted from wounds received or disability incurred in the line of duty while serving in the Army, Navy, Marine Corps, Air Force, or Coast Guard during the period described in subsection a of this section, or in the case of death or marriage of such spouse, the minor child or children of such person. by a guardian duly appointed and qualified and who furnishes to the examining board acceptable evidence of such appointment and qualification.

SEC. 4. Definition of honorable discharge. An honorable discharge means: a. Separation from the service by means of an honorable discharge or by the acceptance of resignation or a discharge under honorable conditions.

b. Release from active duty under honorable conditions to an inactive status, whether or not in a reserve component or retirement.

Any person who obtains an honorable discharge as herein defined shall be entitled to veterans preference even though such person thereafter resumes active military duty.

QUALIFICATIONS REQUIRED OF PURCHASERS

Sec. 5. Examining board. An examining board of three members has been appointed by the Regional Director, Region 1, Bureau of Reclamation, to determine the qualifications and fitness of applicants to undertake the purchase, development, and operation of a farm on the Columbia Basin Project. The board will make careful investigations to verify the statements and representations made by applicants. Any false statements may constitute grounds for rejection of an application, and cancellation of the applicant's right to purchase a farm unit.

Sec. 6. Minimum qualifications. Certain minimum qualifications have been established which are considered necessary for the successful development of farm units. Applicants must meet these qualifications in order to be eligible for the purchase of farm units. Failure to meet them in any single respect will be sufficient cause for rejection of an application. No added credit will be given for qualifications in excess of the required minimum. The minimum qualifications are as follows:

a. Character and industry. plicant must be possessed of honesty, temporate habits, thrift, industry, seriousness of purpose, record of good moral conduct, and a bona fide intent to engage

in farming as an occupation.

b. Farm experience. Except as otherwise provided in this subsection, an applicant must have had a minimum of two years (24 months) of full-time farm experience, which shall consist of participation in actual farming operations, after attaining the age of 15 years. Time spent in agricultural courses in an accredited agricultural college or time spent in work closely associated with farming, such as teaching vocational agriculture, agricultural extension work, or field work in the production or marketing of farm products, which, in the opinion of the board will be of value to an applicant in operating a farm, may be substituted for full-time farm experience. Such substitution shall be on the basis of one year (academic year of at least nine months) of agricultural college courses or one year (twelve months) of work closely associated with farming for six months of full-time farm experience. Not more than one year of fulltime farm experience of this type will be allowed. A farm youth who actually resided and worked on a farm after attaining the age of 15 and while attending school may credit such experience as full-time experience.

Applicants who have acquired their experience on an irrigated farm will not be given preference over those whose experience was acquired on a nonirrigated farm, but all applicants must have had farm experience of such nature as in the judgment of the examining board will qualify the applicant to undertake the development and operation of an irrigated farm by modern methods.

c. Health. An applicant must be in such physical condition as will enable him to engage in normal farm labor.
d. Capital. An applicant must pos-

sess assets worth at least \$4,500 in excess of liabilities. Assets must consist of cash, property readily convertible into cash or property such as livestock, farm machinery and equipment, which, in the opinion of the board, will be useful in the development and operation of a new, irrigated farm. In considering the practical value of property which will be useful in the development of a farm, the board will not value household goods at more than \$500 or a passenger car at more than \$500. Assets not useful in the development of a farm will be considered if the applicant furnishes, at the board's request, evidence of the value of the property and proof of its conversion into useful form before execution of a purchase contract.

Sec. 7. Other qualifications required. Each applicant (except guardian) must meet the following requirements:

a. Be a citizen of the United States or have declared an intention to become a citizen of the United States.

b. Not own outright, or control under a contract to purchase, more than ten acres of crop land or a total of 160 acres of land at the time of execution of a purchase contract for a farm unit.

. c. If a married woman, or a person under 21 years of age who is not eligible for veterans preference, be the head of a family. The head of a family is ordinarily the husband, but a wife or a minor child who is obliged to assume major re-/ sponsibility for the support of a family may be the head of a family.

WHERE AND HOW TO SUBMIT AN APPLICATION

Sec. 8. Filing application blanks. Any person desiring to purchase a farm unit offered for sale by this announcement must fill out the attached application blank and file it with the Land Settlement Section, Bureau of Reclamation, Ephrata, Washington, in person or by mail. Additional application blanks may be obtained from the office of the Bureau of Reclamation at Ephrata, Washington; Post Office Box 937, Boise, Idaho; or Washington, D. C. No advantage will accrue to an applicant who presents an application in person. Each application submitted, including the evidence of qualification to be submitted following the public drawing will become a part of the records of the Bureau of Reclamation and cannot be returned to the applicant.

SELECTION OF QUALIFIED APPLICANTS

SEC. 9. Priority of applications. All applications will be classified for priority

purposes as follows:

a. First priority group. All complete applications filed prior to 2:00 p. m., February 29, 1952, by applicants who claim veterans preference. All such applications will be treated as simultaneously

b. Second priority group. All complete applications filed prior to 2:00 p. m., February 29, 1952, by applicants who do not claim veterans preference. All such applications will be treated as simultaneously filed.

c. Third group. All complete applications filed after 2:00 p.m., February 29, 1952. Such applications will be considered in the order in which they are filed if any farm units are available for sale to applicants within this group.

SEC. 10. Public drawing. After the priority classification, the board will conduct a public drawing of the names of the applicants in the First Priority Group as defined in subsection 9a of this announcement. Applicants need not be present at the drawing to participate therein. The names of a sufficient number of applicants (not less than four times the number of farm units to be offered for sale) shall be drawn and numbered consecutively in the order drawn for the purpose of establishing the order in which the applications drawn will be examined by the board to determine whether the applicants meet the minimum qualifications prescribed in this announcement, and to establish the priority of qualified applicants for the selection of farm units. After such drawing, the board shall notify each applicant of his respective standing as a result of the drawing.

SEC. 11. Submission of evidence of qualification. After the drawing, a sufficient number of applicants, in the order of their priority as established by the drawing, will be supplied with forms on which to submit evidence of qualification, and showing that they meet the qualifications set forth in sections 6 and 7 of this announcement and, in case veterans preference is claimed, establishing proof of such preference, as set forth in section 3 of this announcement. Full and accurate answers must be made to all questions. The completed form must be mailed or delivered to the Land Settlement Section, Bureau of Reclamation, Ephrata, Washington, within 20 days of the date the form is mailed to the last address furnished by the applicant. Failure of an applicant to furnish all of the information requested or to see that information is furnished by his references within the time period specified will subject his application to rejection.

Sec. 12. Examination and interview. After the information outlined in section 11 of this announcement has been received or the time for submitting such statements has expired the board shall examine in the order drawn a sufficient number of applications together with the evidence of qualification submitted to determine the applicants who will be permitted to purchase farm units. This examination will determine the sufficiency, authenticity, and reliability of the information and evidence submitted by the applicants.

If the applicant fails to supply any of the information required or the board finds that the applicant's qualifications do not meet the requirements prescribed in this announcement, the applicant shall be disqualified and shall be notified by the board, by registered mail, of such disqualification and the reasons therefor and of the right to appeal to the Regional Director, Region 1, Bureau of Reclamation. All appeals must

be received in the office of the Land Settlement Section, Bureau of Reclamation, Ephrata, Washington, within 15 days of the applicant's receipt of such notice or, in any event, within 30 days from the date when the notice is mailed to the last address furnished by the applicant. The Land Settlement Section will promptly forward the appeal to the Regional Director.

If the examination indicates that an applicant is qualified the applicant may be required to appear for a personal interview with the board for the purpose of: (a) Affording the board any additional information it may desire relative to his qualifications; (b) affording the applicant any information desired relative to conditions in the area and the problems and obligations relative to development of a farm unit; and (c) affording the applicant an opportunity to examine the farm units.

If an applicant fails to appear before the board for a personal interview on the date requested, he will thereby forfelt his priority position as determined by the drawing.

If the board finds that an applicant's qualifications fulfill the requirements prescribed in this announcement, such applicant shall be notified, in person or by registered mail, that he is a qualified applicant and shall be given an opportunity to select one of the farm units available then for purchase. Such notice will require the applicant to make a field examination of the farm units available to him and in which he is interested, to select a farm unit, and to notify the board of such selection within the time specified in the notice.

SELECTION OF FARM UNITS

SEC. 13. Order of selection. The applicants who have been notified of their qualification for the purchase of a farm unit will successively exercise the right to select a farm unit in accordance with the priority established by the drawing. If a farm unit becomes available through failure of a qualified applicant to exercise his right of selection or failure to complete his purchase, it will be offered to the next qualified applicant who has not made a selection at the time the unit is again available. An applicant who is considered to be disqualified as a result of the personal interview will be permitted to exercise his right to select, notwithstanding his disqualifi-cation, unless he voluntarily surrenders this right in writing. If, on appeal, the action of the board in disqualifying an applicant as a result of the personal interview is reversed by the Regional Director, the applicant's selection shall be effective, but if such action of the board is upheld by the Regional Director, the farm unit selected by this applicant will become available for selection by qualified applicants who have not exercised their right to select.

If any of the farm units listed in this announcement remain unselected after all qualified applicants whose names were selected in the drawing have had an opportunity to select a farm unit, and if additional applicants remain in the first priority group, the board will fol-

low the same procedure outlined in section 10 of this announcement in the selection of additional applicants from this group,

If any of the farm units remain unselected after all qualified applicants in the first priority group have had an opportunity to select a farm unit, the board will follow the same procedure to select applicants from the second priority group, and they will be permitted to exercise their right to select a farm unit in the manner prescribed for the qualified applicants from the first priority

Any farm units remaining unselected after all qualified applicants in the second priority group have had an opportunity to select a farm unit will be offered to applicants in the third group in the order in which their applications were filed, subject to the determination of the board, made in accordance with the procedure prescribed herein, that such applicants meet the minimum qualdifications prescribed in this announcement.

If any farm units offered by or under this announcement remain unsold for a period-of two years following the date of this announcement, the District Manager, Columbia River District, Bureau of Reclamation, may sell, lease or otherwise dispose of such units to qualified applicants without regard to the provisions of section 10 of this announcement.

SEC. 14. Failure to select. If any applicant refuses to select a farm unit or fails to do so within the time specified by the board, such applicant shall forfeit his position in his priority group and his name shall be placed last in that group.

PURCHASE OF SELECTED UNIT

SEC. 15. Execution of purchase contract. When a farm unit is selected by an applicant as provided in section 13 of this announcement, the District Manager will promptly give the applicant a written notice confirming the availability to him of the unit selected and will furnish the necessary purchase contract, together with instructions concerning its execution and return. In that notice the District Manager will also inform the applicant of the amount of the irrigation charges assessed by the Quincy-Columbia Basin Irrigation District or, if such charges have not been assessed, of an estimate of the amount of the charges for the first year of the development period, to be deposited with the District Manager.

If the purchase is made subsequent to April 1 of any year following the first year of the development period, a deposit will be required to cover the payment of water charges for the next full irrigation season following the purchase.

SEC. 16. Terms of sale. Contracts for the sale of farm units pursuant to this announcement will contain, among others, the following principal provisions:

a. Down payment. An initial or down payment of not less than 20 percent of the purchase price of the lands being purchased from the United States will be required. Larger proportions, or the en-

tire amount of the price, may be paid initially at the purchaser's option.

b. Schedule for payment of balance; interest rate. If only a portion of the purchase price is paid initially, the remainder will be payable within a period of 20 years following the date of the contract. No payments on the principal, except the down payment, will be required during the first three years and the District Manager may postpone such payments for as long as the first five years of the contract. Interest on the unpaid balance at the rate of three percent per annum, however, will be payable annually. When payments on the principal are resumed, they will be payable each year. The schedule of principal payments, which will be established by the District Manager, will provide for relatively small payments during the first years and larger payments during the later years of the contract period. Payment of any or all installments, or any portion thereof, may be made before their due dates at the purchaser's option.

c. Development requirements. In order that the irrigable area of the entire farm unit shall be developed with reasonable dispatch, each purchaser will be required, as a minimum, to clear, level, irrigate, and plant to crops by the end of each of the calendar years indicated below, and to maintain in crops thereafter, the following areas of irrigable land:

Size of farm unit in

Percentage of irrigable land to be developed by end of each year (period will begin with year of purchase if contract is executed and water is available on or before May 1 of that year; otherwise, period will begin with the next calendar year)

irrigable acres	other with	the next	eriod wi calenda	will begin dar year)			
	Second year	`Third year	Fourth year	Fifth year			
10 to 40	75 50 50 40 35	75 65 60 50	75 65 65	75 75 76			

d. Residence requirements. A major objective of the settlement program for the Columbia Basin Project is to assist and encourage the permanent settlement of farm families. In keeping with this objective, each purchaser will be required to do the following with respect, to residence: (1) Within one year from the date of his contract, or within one year from the date that water is available to the irrigation block in which the farm unit is located, whichever is later. to initiate residence by actually moving onto the unit, such residence to be maintained by living thereon for not less than 12 months within an 18-month period following the initial date of residence, and (2) before receiving title to the unit under the purchase contract, to establish a permanent and habitable dwelling on the unit. The time for compliance with the initiation of residence may be extended by the District Manager for periods of as long as six months, upon his determination that an extension is necessary to avoid undue hardship to the purchaser and that it will not be

detrimental to the orderly development of the irrigation block. The latest permissible date for initiating residence, however, will not be extended for more than one year in addition to the one-year period specified above. In extraordinary situations, the requirements under (1) and (2) above may be waived entirely upon the determination by the Regional Director, after recommendation by the District Manager, that such waiver will be in the interest of orderly development of the block. Any such waiver, however, shall be conditioned on the requirement that the purchaser reside close enough to his unit to permit him to develop it through his own efforts.

e. Speculation and landholding limitations. Purchase contracts and deeds covering farm units offered by this announcement will include provisions governing - (1) maximum permissible sizes of holdings of irrigable land; (2) continued conformance of land to the area and boundaries of the farm unit plat for the block; (3) prices at which land can be resold during a period of five years following the date on which water is made available to the irrigation block: (4) disposal of land should it become excess at any time; and (5) limitations as to total area that may be operated on the project whether as lessee or as owner or both.

f. Copies of contract form. The terms listed above, and all other standard contract provisions, are contained in the purchase contract form, copies of which may be obtained by writing to the Bureau of Reclamation, Ephrata, Washington, or Post Office Box 937, Boise, Idaho.

IRRIGATION CHARGES

Sec. 17. Water rental charges. During the irrigation season of 1953, while some construction activities will be continuing and the system is being tested, it is expected that water will be furnished on a temporary rental basis to those desiring it. The terms of payment, which will be at a fixed rate per acre-foot of water used, will be announced by the Regional Director before the beginning of the irrigation season.

SEC. 18. Development period charges. Pursuant to the provisions of the repayment contract of October 9, 1945, between the United States and the Quincy-Columbia Basin Irrigation District, the Secretary of the Interior will announce development periods of ten years for these irrigation blocks, during which time payment of construction charge installments-will not be required. These periods probably will commence with the calendar year 1954. During the development period, water rental charges will average an estimated \$5.50 per irrigable acre per year. This figure is pre-liminary and subject to change because all the data needed to fix the charges are not available nor can they be obtained now. In any event, there will be a minimum charge per farm unit each year whether or not water is used. A notice establishing the details of the plan to be followed and announcing charges and governing provisions for the first year of the development period will be issued prior to January 1 of that year, by the Regional Director, who has the responsibility for fixing these charges.

The present plans of the Regional Director are (a) to vary the minimum charge according to the anticipated relative repayment ability of the various land classes; (b) to provide for a small minimum charge for the first year and to increase it each year thereafter so that the charge for the tenth year will be approximately equal to the combined construction and operation and maintenance charge for the following year; and (c) to charge for water in excess of the amount furnished for the minimum charge on an acre-foot basis. The minimum charge will entitle each user to a quantity of water to be specified by the Regional Director, varying with the water requirement classification of the land and the size of the farm unit.

In addition to the water rental charges, the Irrigation District will levy an additional charge to cover administrative costs and probable delinquencies in teollections.

-Sec. 19. Construction period repayment charges—a. Operation and maintenance charges. After the development period has ended, water users will pay a charge for operation and maintenance of the project irrigation system which will be uniform for the irrigation blocks throughout the project. These charges may or may not be graduated among land classes. Assessment procedure will be left for the Irrigation District Board of Directors to determine, but, in any case, there will be an annual minimum charge per acre. In order to encourage careful use of water, this annual minimum charge will entitle the water user to one acre-foot of water per acre less than the amount of water normally required. The normal requirements for the various classes of land will be determined and announced as provided in the repayment contract with the Quincy-Columbia Basin Irrigation District, Water in excess of the quantity covered by the minimum charge will be paid for on an acre-foot basis in accordance with an ascending, graduated scale.

b. Construction charges. The contract between the United States and the Quincy-Columbia Basin Irrigation District requires the payment of construction charges for the project irrigation system during the forty years following the development period. The average construction charge per irrigable acre for the entire project will be \$2.12 per year. Thus, the total construction charge payment will average \$85 per irrigable acre. The contract further provides that construction charges shall be graduated according to the relative repayment ability of the land; consequently, the charge per irrigable acre will be larger for the better lands than for the poorer lands. This allocation of construction charges by classes of land will be made as soon as practicable.

R. D. SEARLES,
Acting Secretary of the Interior.

[F. R. Doc. 52-721; Filed, Jan. 18, 1952;
8:45 a. m.]

DEPARTMENT OF LABOR

Wage and Hour Division

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938, as amended (52 Stat. 1068, as amended; 29 U.S.C. and Sup. 214) and Part 522 of the regulations issued thereunder (29 CFR Part 522), special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates applicable under section 6 of the act have been issued to the firms listed below. The employment of learners under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of Part 522. The effective and expiration dates, occupations, wage rates, number or proportion of learners, and learning period for certificates issued under the general learner regulations (§§ 522.1 to 522.14) are as indicated below; conditions provided in -certificates issued under special industry regulations are as established in these regulations.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear and Other Odd Outerwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry Learner Regulations (29 CFR 522.160 to 522.166, as amended September 25, 1950; 15 F. R. 5701; 6326).

Amory Garment Co., Inc., South Main Street, Amory, Miss., effective 1-7-52 to 1-6-53; 10 percent of the productive factory

Force (work pants and semi-dress pants).

Barrett & Sons, Masonic Building, Main
Street, Versailles, Kg., effective 1-5-52 to 1-4-53; five learners (dresses).

Berlin Manufacturing Co., Inc., Berlin, Md., effective 1-11-52 to 1-10-53; 10 learners (cotton work clothing).

Brookfield Manufacturing Co., 145 West Pine Street, Warrensburg, Mo., effective 1-7-52 to 1-6-53; 10 learners (men's industrial one-piece suits).

Brunswick Manufacturing Co., Inc., Goodyear Park, Brunswick, Ga., effective 1-5-52 to 7-4-52; 10 learners (single pants, overalls, jackets, and coveralls).

Brunswick Manufacturing Co., Inc., Good-year Park, Brunswick, Ga., effective 1-5-52 to 1-4-53; 10 learners (single pants, overalls, jackets and coveralls).

Children's Clothing Co., 613 West Rush Street, Marshall, Tex., effective 1-5-52 to 1-4-53; three learners (children's clothing).

Cresco Manufacturing Co., 703 Union Street, Ashland, Ohio, effective 1-4-52 to 1-3-53; 10 percent of the productive factory force (sportswear, leather and sheep-lined garments).

Don Juan Manufacturing Co., Hertford, N. C., effective 1-12-52 to 1-11-53; 10 learners (dress shirts, collars, sleeping wear).

Dunhill Shirt Co., Glasgow, Mo., effective 1-8-52 to 1-7-53; 10 percent of the produc-

tive factory force (shirts).

Dunhill Shirt Co., Holden, Mo., effective
1-8-52 to 1-7-53; 10 percent of the productive factory force or 10 learners, whichever is greater (shirts).

Dunhill Shirt Co., Lexington, Mo., effective 1-12-52 to 1-11-53; 10 percent of the productive factory force (dress shirts, collars, sleeping wear, polo shirts).

Fashion Frocks, Inc. of Tennessee, Greeneville, Tenn., effective 1-5-52 to 1-4-53; 10 percent of the productive factory force (dresses).

Isaac Ginsberg & Bros. Inc., 27 East Genessee Street, Auburn, N. Y., effective 1-5-52 to 1-4-53; 10 percent of the productive fectory force (wash dresses).

Glassboro Shirt Co., 31 North Main Street,

Glassboro, N. J., effective 1-5-52 to 1-4-53; four learners (boys' wash suits).

Greenwood Underwear Co., Inc., Greenwood, S. C., effective 1-4-52 to 1-3-53; 10 percent of the productive factory force (men's rayon sportshirts).

Gro-Togs, Inc., Brook and Deane Streets, New Bedford, Macs., effective 1-3-52 to 1-2-53; 10 percent of the productive factory force or 10 learners, whichever is greater (infants' and children's playwear). Lark Dress Co., Fifth and Walnut Streets,

Shamokin, Pa., effective 1-8-52 to 1-7-53; 10

learners (dresses).
Leader Dress Co., 726 Main Street, Duryea, Pa., effective 1-5-52 to 1-4-53; five learners (dresses).

The H. D. Lee Co., Inc., 200 Third North, Minneapolis, Minn., effective 1-2-52 to 1-1-53; 10 percent of the productive factory force (pants, overalls, coveralls, etc.).

Manhattan Shirt Co., Patercon, N. J., ef-

fective 1-7-52 to 1-6-53; 10 percent of the productive factory force (dress shirts).

Milberg & Milberg, Inc., Diller Avenue, New Holland, Pa., effective 1-10-52 to 1-9-53; 10 percent of the productive factory force or 10 learners, whichever is greater

(ladles' slips and gowns).

Mode O'Day Corp., 146 South West Temple,
Salt Lake City, Utah, effective 1-7-52 to
7-6-52; 10 learners (dresses).

Monielgh Garment Co., Yadkinville High-way, Mocksville, N. C., effective 1-5-52 to 1-4-53; three learners (ladies' pajamas).

N&W Industries, Inc., 730 South President Street, Jackson, Miss., effective 1-5-52 to 1-4-53; 10 percent of the productive factory force (pants, overalls, coveralls and work

Oberman & Co., Arkadelphia, Ark., effective 1-12-52 to 1-11-53; 10 percent of the productive factory force (men's and boys' single pants).

Pike Garments, Inc., Troy, Ala., effective 1-5-52 to 1-4-53; 10 percent of the productive factory force (pajamas). Security Sportswear Co., Grand Bouleyard

Circle, Iron Mountain, Mich., effective 1-5-52 to 7-4-52; 10 learners; learners not to be engaged in the production of women's lined

jackets (sportswear).
Security Sportswear Co., Grand Boulevard Circle, Iron Mountain, Mich., effective 1-5-52 to 1-4-53; 10 percent of the productive factory force; learners not to be engaged in the production of women's lined jackets (sportswear).

Glove Industry Learner Regulations (29 CFR 522.220 to 522.231, as amended October 26, 1950; 15 F. R. 6888).

Fournier Glove Co., Inc., 24 Railroad Avenue, Patchogue, N. Y., effective 1–4–52 to 1–3–53; four learners (fabric work gloves and mittens).

Hosiery Industry Learner Regulations (29 CFR 522.40 to 522.51, as revised November 19, 1951; 16 F. R. 10733).

Aberdeen Hoslery Mills Co., Inc., Aberdeen, N. C., effective 1-25-52 to 1-24-53; five learners.

Adams-Millis Corp., 400 English Street, High Point, N. C., effective 1-25-52 to 1-24-

53: 5 percent of the productive factory force. Athens Hosiery Mills, Inc., Tellico Avenue, Athens, Tenn., effective 1-25-52 to 1-24-53; 5 percent of the productive factory force.

Charles H. Bacon, Lenoir City, Tenn., effective 1-11-52 to 1-10-53; 5 percent of the productive factory force.

Belmont Hoslery Mills, Inc., Belmont, N. C., effective 1-25-52 to 1-24-53; 5 percent of the productive factory force.

Belmont Knitting Co., Belmont, N. C., effective 1-25-52 to 1-24-53; 5 percent of the

productive factory force.

Black Mountain Hoslery Mills, Inc., Black Mountain, N. C., effective 1-5-52 to 8-4-52: five additional learners (supplemental certificate).

Browning Mills, Inc., Bridgeport, Ala., effective 1-25-52 to 1-24-53; 5 percent of the productive factory force.

Grayoville Hoolery Mills, Inc., 125 East Main Street, Dayton, Tenn., effective 1-25-52 to 1-24-53; 5 percent of the productive factory force.

Hollar Hoslery Mills, Inc., 5 First Avenue NW., Hickory, N. C., effective 1-25-52 to 1-24-53; five learners.

James Hoslery Mills, Inc., Greensville, Tenn., effective 1-25-52 to 1-24-53; five

Julius Kayser & Co., 430 Canton Street, Troy, Pa., effective 1-25-52 to 1-22-53; five learners.

The Locke Hodery Mills, 4937 Mulberry Street, Philadelphia 24, Pa., effective 1-25-52 to 1-24-53; 5 percent of the productive fac-

tory force.
Orango Knitting Mills, Inc., Orange, Va., effective 1-25-52 to 1-24-53; five learners.

Prestige, Inc., 485 Fifth Avenue, New York 17, N. Y., effective 1-25-52 to 1-24-53; 5 percent of the productive factory force.

Standard Hoolery Mills, Inc., Burlington, N. C., effective 1-25-52 to 1-24-53; 5 percent of the productive factory force.

Van Raalte Co., Inc., Blue Ridge, Ga., effective 1-25-52 to 1-24-53; 5 percent of the

productive factory force.

Vermont Hosiery & Machinery Co., Northfield, Vt., effective 1-25-52 to 1-24-53; five

Williamson Hosiery Mills, Inc., 615 North Jackson Street, Athens, Tenn., effective 1– 11–52 to 1–10–53; five learners.

Windy City Knitting Mills, Inc., Hickory, N. C., effective 1-25-52 to 1-24-53; five learners.

Shoe Industry Learner Regulations (29) CFR 522.250 to 522.260; 15 F.R. 6546).

Diane Footwear, Inc., 92 South Empire Street, Wilken-Barre, Pa., effective 1-4-52 to 1-3-53; 10 learners.

The P. Hagerty Shoe Co., 301 Van Deman Avenue, Wachington C. H., Ohio, effective

1-4-52 to 1-3-53; 10 learners. International Sage Co., 1037 State Street, Chester, Ill., effective 1-4-52 to 1-3-53; 10 percent of the productive factory force.

International Shoc Co., Merva Rd., Poplar Bluff, Mo., effective 1-4-52 to 1-3-53; 10 percent of the productive factory force.

Robinson Manufacturing Co., Outer West Main, Robinson, Ill., effective 1-4-52 to 1-3-53; 10 percent of the productive factory

Williamstown Snce Corp., West Broad Street, Williamstown, Pa., effective 1-4-52 to 1-3-53; 10 percent of the productive factory

Regulations Applicable to the Employment of Learners (29 CFR 522.1 to 522.14).

Northern Electric Co., Bay Springs, Miss. effective 1-3-52 to 4-2-52; 100 learners; all productive factory operations directly involved in the manufacture of parts and ascombly of electric blankets, excluding sevring machine operations as well as custodial, maintenance, packing, boxing, shipping and other similar nonproductive jobs: 160 hours at 65 cents per hour (electric blankets and accembly).

The following special learner certificates were issued in Puerto Rico to the companies hereinafter named. The effective and expiration dates, the number of learners, the learner occupations, the length of the learning period and the

learner wage rates are indicated, respectively.

Jem Manufacturing Co., Bayamon, P. R., effective 12-21-51 to 6-20-52; 40 learners; sewing machine operators; first 240 hours at 25 cents per hour, second 80 hours at 27 cents per hour, third 80 hours at 29 cents per hour (brassieres).

Jem Manufacturing Co., Santurce, P. R., effective 12-21-51 to 6-20-52; 40 learners; sewing machine operators; first 240 hours at-25 cents per hour, second 80 hours at 27 cents per hour; third 80 hours at 29 cents

per hour (brassieres).

Pan American Crafts, Inc., San Juan, P. R., effective 12-21-51 to 6-20-52; 40 learners; sewing machine operators; first 240 hours at 25 cents per hour, second 80 hours at 27 cents per hour, third 80 hours at 29 cents per hour (brassieres).

Each certificate has been issued upon the employer's representation that employment of learners at subminimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. The certificates may be canceled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of Part 522.

Signed at Washington, D. C., this 9th day of January 1952.

> MILTON BROOKE, Authorized Representative of the Administrator.

[F. R. Doc. 52-723; Filed, Jan. 18, 1952; 8:46 a. m.1

ECONOMIC STABILIZATION AGENCY

Office of Price Stabilization

[Region VII, Redelegation of Authority No. 6, Revised]

DIRECTORS OF DISTRICT OFFICES, REGION VII

REDELEGATION OF AUTHORITY TO ACT UNDER SECTIONS 39B, 39D, 39E, 39F, AND 39G OF

By virtue of the authority vested in me as Director of the Regional Office of the Office of Price Stabilization, Region VII, pursuant to the provisions of Delegation of Authority Number 5, Revised, dated December 29, 1951 (17 F. R. 98), this redelegation of authority is hereby issued:

1. Authority is hereby redelegated to each of the District Directors of the Office of Price Stabilization in Region VII to act under sections 39b, 39d, 39e. 39f, and 39g of Ceiling Price Regulation 7.

This redelegation of authority is effective January 17, 1952.

> MICHAEL J. HOWLETT, Director of Regional Office VII.

JANUARY 16, 1952.

[F. R. Doc. 52-763; Filed, Jan. 16, 1952; 5:01 p. m.]

-[Region VII, Redelegation of Authority No. 15]

DIRECTORS OF DISTRICT OFFICES, REGION VII

REDELEGATION OF AUTHORITY TO ESTABLISH OR ADJUST CEILING PRICES, ETC., UNDER

By virtue of the authority vested in me as Director of the Regional Office of the Office of Price Stabilization, Region VII. pursuant to the provisions of Delegation of Authority Number 44, dated December 19, 1951 (16 F. R. 12802), this redelegation of authority is hereby issued:

1. Authority is hereby redelegated to each of the District Directors of the Office of Price Stabilization in Region VII to authorize, establish, adjust, revise, or disapprove ceiling prices, ceiling fees, ceiling markups and rates or request further information in connection therewith, or otherwise act to administer individual reporting or adjustment provisions of Ceiling Price Regulation 93, in accordance with the specific provisions thereof.

This redelegation of authority is effective January 17, 1952.

> MICHAEL J. HOWLETT, Director of Regional Office VII.

JANUARY 16, 1952.

[F. R. Doc. 52-762; Filed, Jan. 16, 1952; 5:01 p. m.]

[Region VII, Redelegation of Authority No. 16]

DIRECTORS OF DISTRICT OFFICES, REGION VII

REDELEGATION .OF AUTHORITY TO REQUEST ADDITIONAL INFORMATION ON APPLICA-TIONS FOR ADJUSTED CEILING PRICES UNDER GOR 20

By virtue of the authority vested in me as Director of the Regional Office of the Office of Price Stabilization, Region VII, pursuant to the provisions of Delegation of Authority Number 36, dated November 28, 1951 (16 F. R. 12025), this redelegation of authority is hereby issued:

1. Authority is hereby redelegated to each of the District Directors of the Office of Price Stabilization, in Region VII, to request further information from an applicant who has filed an application for adjusted ceiling prices pursuant to General Overriding Regulation 20.

2. Authority is hereby redelegated to each of the District Directors of the Office of Price Stabilization, in Region VII. to request further information from an applicant who has requested, pursuant to section 8 of the General Overriding Regulation 20, permission to use different calendar periods from those stipulated in the regulation for determining his cost ratios.

3. Authority is hereby redelegated to each of the District Directors of the Office of Price Stabilization, in Region VII, to request further information from an applicant who has filed an application pursuant to section 10 of General Overriding Regulation 20.

This redelegation of authority is effective January 17, 1952.

> MICHAEL J. HOWLETT Regional Director of Office VII.

JANUARY 16, 1952.

[F. R. Doc. 52-761; Filed, Jan. 16, 1952; 5:01 p. m.]

[Region VIII, Redelegation of Authority No. 17]

DIRECTORS OF DISTRICT OFFICES, REGION VIII

REDELEGATION OF AUTHORITY TO ACT ON AP-PLICATIONS PERTAINING TO CERTAIN ITEMS

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, Region VIII, pursuant to Delegation of Authority No. 35, dated November 28, 1951 (16 F. R. 12025), this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the District Directors, Office of Price Stabilization, Eighth Region, to request further information, pursuant to section 9 of Revised Supplementary Regulation 34 to the General Ceiling Price Regulation, with respect to any ceiling price granted, reported or proposed pursuant to Supplementary Regulation 34, issued June 12, 1951, or to Revised Supplementary Regulation 34 and at any time to disapprove or revise, pursuant to section 9 of Revised Supplementary Regulation 34, any such granted, reported or proposed ceiling price in order to bring it in line with the general level of prices prevailing under Revised Supplementary Regulation 34. The authority hereby redelegated is to be exercised concur-rently with the Regional and National Offices.

This redelegation of authority shall take effect as of December 19, 1951.

PHILIP NEVILLE, Regional Director, Region VIII. JANUARY 16, 1952.

[F. R. Doc. 52-757; Filed, Jan. 16, 1952; 5:00 p. m.]

[Region VIII, Redelegation of Authority No. 18]

DIRECTORS OF DISTRICT OFFICES, REGION VIII

REDELEGATION OF AUTHORITY TO ISSUE AREA MILK PRICE REGULATIONS PURSUANT TO SUPPLEMENTARY REGULATION 63 TO THE GENERAL CEILING PRICE REGULATION

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, Region VIII, pursuant to Delegation of Authority No. 41, dated December 14, 1951 (16 F. R. 12679), this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to each District Director, Office of Price Stabilization, Eighth Region, to issue area milk price regulations adjusting ceiling prices in accordance with the provisions of Supplementary Regulation

63 to the General Ceiling Price Regulation if the entire milk marketing area or the major part thereof is located in that district of the Office of Price Stabilization (but not if the entire milk marketing area or the major part thereof is not located in that district), and to perform all the other functions provided for in Supplementary Regulation 63 to the General Ceiling Price Regulation.

This redelegation of authority shall take effect as of December 19, 1951.

PHILIP NEVILLE, Regional Director, Region VIII.

JANUARY 16, 1952.

[F. R. Doc. 52-758; Filed, Jan. 16, 1952; 5:00 p. m.]

[Region VIII, Redelegation of Authority No. 19]

DIRECTORS OF DISTRICT OFFICES, REGION VIII

REDELEGATION OF AUTHORITY TO ACT UNDER CPR 25, REVISED

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, Region VIII, pursuant to Delegation of Authority No. 42, dated December 17, 1951 (16 F. R. 12747), this redelegation of authority is hereby issued.

1. Authority to act under sections 4 (d), 5 (c) (3), 12, 21 (c), 22, 30 (f) and (g), 32 (b), 33 and 34 of CPR 25. Authority is hereby redelegated to the District Directors, Office of Price Stabilization, Eighth Region, to act under sections 4 (d), 5 (c) (3), 12, 21 (c), 22, 30 (f) and (g), 32 (b), 33 and 34 of CPR 25

This redelegation of authority shall take effect as of December 19, 1951.

PHILIP NEVILLE, Regional Director, Region VIII.

JANUARY 16, 1952.

[F. R. Doc. 52-759; Filed, Jan. 16, 1952; 5:01 p. m.]

[Region VIII, Redelegation of Authority No. 20]

DIRECTORS OF DISTRICT OFFICES, REGION VIII

REDELEGATION OF AUTHORITY TO PROCESS APPLICATIONS FOR ADJUSTMENT FILED BY MANUFACTURERS HAVING YEARLY SALES VOLUME OF \$250,000 OF LESS, UNDER GOR 10

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, Region VIII, pursuant to Delegation of Authority No. 43, dated December 17, 1951 (16 F. R. 12747), this redelegation of authority is hereby issued.

1. Authority to act under GOR 10. Authority is hereby redelegated to the District Directors, Office of Price Stabilization, Eighth Region, to process and act on applications for adjustments, filed by manufacturers having a yearly sales volume of \$250,000 or less, under GOR 10.

2. Authority to act under GOR 10. Authority is hereby redelegated to the District Directors, Office of Price Stabilization, Eighth Region, to process and act on all applications for adjustments filed under GOR 10 by manufacturers having a yearly sales volume exceeding \$250,000, where the applications have been referred to the Regional Office by the National Office and in turn referred to the District Office by the Regional Office.

This redelegation of authority shall take effect as of December 19, 1951.

PHILIP NEVILLE,
Regional Director, Region VIII.

JANUARY 16, 1952.

[F. R. Doc. 52-760; Filed, Jan. 16, 1952; 5:01 p. m.]

[Region XII, Redelegation of Authority No. 12]

Directors of District Offices, Region XII

REDELEGATION OF AUTHORITY TO ACT ON AP-PLICATIONS FOR EXEMPTION FILED BY NON-PROFIT CLUBS UNDER THE PROVISIONS OF CPR 11

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. XII, pursuant to Delegation of Authority No. 34 (16 F. R. 11979), this redelegation of authority is hereby issued.

1. Authority to act under section 9 (e) of CPR 11. Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stablization, Region XII, to act on all applications for exemption under the provisions of section 9 (e) of CPR 11.

This redelegation of authority shall take effect as of January 10, 1952.

JOHN H. TOLAN, Jr., Director of Regional Office XII.

JANUARY 16, 1952.

[F. R. Doc. 52-751; Filed, Jan. 16, 1952; 5:00 p. m.]

[Region XII, Redelegation of Authority No. 18]

DIRECTORS OF DISTRICT OFFICES, REGION XII

REDELEGATION OF AUTHORITY TO ACT ON AP-PLICATIONS PERTAINING TO CERTAIN ITEMS OF SAUSAGE

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. XII, pursuant to Delegation of Authority No. 35 (16 F. R. 12025), this redelegation of authority is hereby issued.

1. Authority to act under section 9 Revised Supplementary Regulation 34 to the General Ceiling Price Regulation. Authority is hereby redelegated to the Directors of the San Francisco, San Diego, Fresno, Sacramento, Phoenix, and Los Angeles District Offices of the Office of Price Stabilization to request further information, pursuant to section 9 of Revised Supplementary Regulation 34,

with respect to any ceiling price granted, reported or proposed pursuant to Supplementary Regulation 34, issued June 12, 1951, or to Revised Supplementary Regulation 34 and at any time to disapprove or revise, pursuant to section 9 of Revised Supplementary Regulation 34, any such granted, reported or proposed ceiling price in order to bring it in line with the general level of prices prevailing under Revised Supplementary Regulation 34.

This redelegation of authority shall take effect as of January 10, 1952.

John H. Tolan, Jr., Director of Regional Office XII.

JANUARY 16, 1952.

[F. R. Doc. 52-752; Filed, Jan. 16, 1952; 5:00 p. m.]

[Region XII, Redelegation of Authority No. 19]

DIRECTORS OF DISTRICT OFFICES, REGION XII

REDELEGATION OF AUTHORITY TO PROCESS REPORTS OF PROPOSED CEILING PRICES FOR SALES OF FARM EQUIPMENT PURSUANT TO SECTION 5 OF CPR 100

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. XII, pursuant to Delegation of Authority No. 37 (16 F. R. 12299), this redelegation of authority is hereby issued.

1. Authority to act under section 5 of CPR 100. Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region XII, to approve, pursuant to section 5 of CPR 100, a ceiling price for sales of farm equipment proposed by a seller under CPR 100, disapprove such a proposed ceiling price, establish a different ceiling price by order, or request further information concerning such a ceiling price.

This redelegation of authority shall take effect as of January 10, 1952.

JOHN H. TOLAN, Jr., Director of Regional Office XII.

JANUARY 16, 1952.

[F. R. Doc. 52-753; Filed, Jan. 16, 1932; 5:00 p. m.]

[Region XII, Redelegation of Authority No. 20]

DIRECTORS OF DISTRICT OFFICES, REGION XII

REDELEGATION OF AUTHORITY TO ACT UNDER CPR 25, REVISED

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. XII, pursuant to Delegation of Authority No. 42 (16 F. R. 12747), this redelegation of authority is hereby issued.

1. Authority to act under sections 4
(d), 5 (c) (3), 12, 21 (e), 22, 30 (f) and
(g), 32 (b), 33 and 34 of CPR 25.
Authority is hereby redelegated to the
Directors of the District Offices of the
Office of Price Stabilization, Region XII.

to act under sections 4 (d), 5 (c) (3), 12, 21 (c), 22, 30 (f) and (g), 32 (b), 33 and 34 of CPR 25. All actions in respect to sections 33 and 34 of CPR 25, taken by district offices previous to this authority, are hereby confirmed and validated.

This redelegation of authority shall take effect as of January 10, 1952.

> JOHN H. TOLAN, Jr. Director of Regional Office XII.

JANUARY 16, 1952.

[F. R. Doc. 52-754; Filed, Jan. 16, 1952; 5:00 p. m.]

[Region XII, Redelegation of Authority -No. 21]

DIRECTORS OF DISTRICT OFFICES, REGION XII

REDELEGATION OF AUTHORITY TO ESTABLISH OR ADJUST CEILING PRICES, ETC., UNDER CPR 93

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. XII, pursuant to Delegation of Authority No. 44 (16 F. R. 12802), this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region XII, to authorize, establish, adjust, revise, or disapprove ceiling prices, ceiling fees, ceiling markups and rates or request further information in connection therewith, or otherwise act to administer individual reporting or adjustment provisions of CPR 93, in accordance with the specific provisions thereof.

This redelegation of authority shall take effect as of January 10, 1952.

> John H. Tolan, Jr., Director of Regional Office XII.

JANUARY 16, 1952.

[F. R. Doc. 52-755; Filed, Jan. 16; 1952; 5:00 p. m.]

[Region XIII, Redelegation of Authority No. 91

DIRECTORS OF DISTRICT OFFICES, REGION

REDELEGATION OF AUTHORITY TO PROCESS REPORTS OF PROPOSED CEILING PRICES FOR SALES OF FARM EQUIPMENT PURSUANT TO SECTION 5 OF CPR 100

By virtue of the authority vested in me as Acting Director of the Regional Office of Price Stabilization, No. XIII, pursuant to Delegation of Authority No. 37 (16 F. R. 12299), this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the Directors of the Boise, Portland, Seattle and Spokane District Offices of Price Stabilization, respectively, to act pursuant to section 5 of Ceiling Price Regulation 100 in the following ways: By order to approve, disapprove or modify a ceiling price for sales of farm equipment proposed by a seller pursuant to Section 5 of Ceiling Price Regulation 100; or to request further information concerning such a ceiling price.

This redelegation of authority shall become effective as of January 14, 1952.

JOHN L. SALTER, Acting Regional Director, Region XIII.

JANUARY 16, 1952.

[F. R. Doc. 52-756; Filed, Jan. 16, 1952; 5:00 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 798]

HAND-CRAFT BEDDING CORP.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR.7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports

with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the Statement of Considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers-1. What this order does. Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: Hand-Craft Bedding Corporation, 887 Niagara

Street, Buffalo 13, N. Y.
Brand names: "Serta" and "Posture Craft".

Articles: Mattresses and box springs. 2. Retail ceiling prices for listed articles. Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. Retail ceiling prices for unlisted items. Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. When-ever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. Retail ceiling prices affected by amendment to this order. This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment be-

come your ceiling prices.

5. Marking and tagging. This order requires your supplier to pre-ticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS-Sec. 43-OPR 7 Price \$----

After 90 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective

date of the amendment.

6. Applicability. This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 states and the District of Columbia.

Provisions for the applicant-7. Notification to retailers. As the manufacturer or wholesaler to whom this special order is issued, you shall do the follow-

(a) Sending order and list to old customers. Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within 2 months immediately prior to the effective date, you had delivered any article covered by this order.

(b) Notification to new customers. copy of this special order and the list. shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by

this order.

(c) Notification with respect to amendments. Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment, Within 15 days after any amendment, the amendment shall also be included

with the notification to new customers.

(d) Notification to OPS. Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. Ceiling price list. The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1) Price to retailers (Column 2)

Retailer's ceilings for articles of cost listed in column I

\$____per___{dozen.} Terms | net. | percent EOM, | etc. |

9. Pre-ticketing requirements. As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

> OPS-Sec. 43-CPR 7 Price \$ _____

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. Sales volume reports. Within 45 days of the expiration of the first 6month period following the effective date of this special order and within 45 days of the expiration of each successive 6month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on January 15, 1952.

> MICHAEL V. DISALLE, Director of Price Stabilization.

JANUARY 14, 1952. [F. R. Doc. 52-666; Filed, Jan. 14, 1952; 4:59 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 797]

LITTLE ROCK FURNITURE MFG. Co.

CEILING PRICES AT RETAIL.

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at sub-

stantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the Statement of Considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers—1. What this order does. Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: Little Rock Furniture Manufacturing Co., Little Rock, Arkansas.

Brand names: "Spring Air."

Articles: Mattresses and box springs. 2. Retail ceiling prices for listed articles. Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. Retail ceiling prices for unlisted items. Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. Retail ceiling prices affected by amendment to this order. This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. Marking and tagging. This order requires your supplier to pre-ticket his articles by an early date. The label, tag or ticket must be in the following form:

> OPS-Sec. 43-CPR 7 Price 8 _____

After 90 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of

the amendment.

6. Applicability. This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 States and the District of Columbia.

Provisions for the applicant—7. Notification to retailers. As the manufacturer or wholesaler to whom this special order is issued, you shall do the follow-

ing: (a) Sending order and list to old customers. Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within 2 months immediately prior to the effective date, you had delivered any article covered by this

(b) Notification to new customers. copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this

(c) Notification with respect to amendments. Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, you had delivered any article in-cluded in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) Notification to OPS. Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabiliza-

tion, Washington 25, D. C.
8. Ceiling price list. The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1) Price to retailers	(Column 2) Retailer's ceilings for articles of cest listed in column 1
\$fer{dozen cte.	net. Ferms percent EOM.

9. Pre-ticketing requirements. As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

> OPS-Sec. 43-CPR 7 Price \$_____

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10 Sales volume reports. Within 45

10. Sales volume reports. Within 45 days of the expiration of the first 6month period following the effective date of this special order and within 45 days of the expiration of each successive 6month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on January 15, 1952.

> MICHAEL V. DISALLE, Director of Price Stabilization.

JANUARY 14, 1952.

[F. R. Doc. 52-665; Filed, Jan. 14, 1952; 4:59 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 796]

SEALY MATTRESS CO.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of inter-

est primarily to the applicant.

Order. For the reasons set forth in the statement of considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers—1. What this order does. Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: Sealy Mattress Company, Fisk and Rondo Streets, St. Paul 4, Minnesota. Brand names: "Sealy."

Articles: Mattresses and box springs. 2. Retail ceiling prices for listed articles. Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling. prices. You may, of course, sell below these prices.

3. Retail ceiling prices for unlisted items. Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having

that same net cost.

4. Retail ceiling prices affected by amendment to this order. This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. Marking and tagging. This order requires your supplier to preticket his articles by an early date. The label, tag or ticket must be in the following form:

> OPS-Sec. 43-CPR 7 Price \$_

After 90 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. Applicability. This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 states and the District of Columbia.

Provisions for the applicant-7. Notification to retailers. As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) Sending order and list to old customers. Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within 2 months immediately prior to the effective date, you had delivered any article covered by this order,

(b) Notification to new customers. A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this

(c) Notification with respect to amendments. Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days, after any amendment, the amendment shall also be included with the notification to new customers.

(d) Notification to OPS. Within 15 days of the effective date of this order. you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization.

Washington-25, D. C. 8. Ceiling price list. 8. Ceiling price list. The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1) (Column 2) Retailer's ceilings for articles of cost listed in column 1 -Price to retailers dozen. Terms percent EOM. \$____ per___

9. Preticketing requirements. As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

> OPS-Sec. 43-CPR 7 Price \$_____

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. Sales volume reports. Within 45 days of the expiration of the first 6month period following the effective date of this special order and within 45 days of the expiration of each successive 6month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6month period.

This special order may be amended or revoked at any time.

Effective date.—This special order shall become effective on January 15, 1952.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JANUARY 14, 1952.

[F. R. Doc. 52-664; Filed, Jan. 14, 1952; 4:59 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 795]

"JEWEL RADIO CORP.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Jewel Radio Corporation, 10–40 45th Avenue, Long Island City 1, New York, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price

Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the article a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special

order is hereby issued.

1. Ceiling prices. The ceiling prices for sales at retail of radios and radio phonograph combinations sold through wholesalers and retailers and having the brand name(s) "Jewel" shall be the proposed retail ceiling prices listed by Jewel Radio Corporation, 10-40 45th Avenue, Long Island City 1, New York, hereinafter referred to as the "applicant" in its application dated November 13, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than March 25, 1952, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. Marking and tagging. On and after March 25, 1952, Jewel Radio Corporation must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7 Price \$----

On and after April 28, 1952, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to April 28, 1952, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the

absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. Notification to resellers—(a) Notices to be given by applicant. (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of

this special order.

(2) Within fifteen days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail celling price.

The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style er let num- ber er ether dwerip- tion)	Retailer's celling price for arti- cles listed in Column 1
	\$

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this spe-

cial order.

(b) Notices to be given by purchasers for resale (other than retailers). (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special

order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

- 4. Reports. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.
- 5. Other regulations affected. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.
- 6. Revocation. This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.
- 7. Applicability. The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective January 15, 1952.

> MICHAEL V. DISALLE, Director of Price Stabilization.

JANUARY 14, 1952.

[F. R. Doc. 52-663; Filed, Jan. 14, 1952; 4:58 p. m.]

FEDERAL POWER COMMISSION

[Docket Nos. G-1399, G-1400]

VIRGINIA GAS TRANSMISSION CORP. AND LYNCHBURG PIPE LINE Co.

NOTICE OF ORDER GRANTING PETITION TO WITHDRAW APPLICATIONS

JANUARY 15, 1952.

Notice is hereby given that, on January 15, 1952, the Federal Power Commission issued its order, entered January 14, 1952, granting a joint petition to withdraw applications in the aboveentitled matters.

[SEAL]

LEON M. FUQUAY, Secretary.

[F. R. Doc. 52-724; Filed, Jan. 18, 1952; 8:46 a. m.]

[Project No. 1984]

WISCONSIN RIVER POWER CO.

NOTICE OF ORDER AMENDING LICENSE

JANUARY 15, 1952.

Notice is hereby given that, on December 12, 1951, the Federal Power Commission issued its order, entered December 11, 1951, amending license (Major) in the above-entitled matter.

[SEAL]

LEON M. FUQUAY, Secretary.

[F. R. Doc. 52-725; Filed, Jan. 10, 1952; 8:46 a. m.]

[Project No. 2064]

WINTER ELECTRIC LIGHT & POWER CO.

NOTICE OF ORDER ISSUING LICENSE

JANUARY 15, 1952

Notice is hereby given that, on Noyember 19, 1951, the Federal Power Commission issued its order, entered November 15, 1951, issuing license (Major) in the above-entitled matter.

[SEAL]

LEON M. FUQUAY, Secretary.

[F. R. Doc. 52-728; Filed, Jan. 18, 1952; 8:46 a. m.]

> [Docket No. G-1841] EL PASO NATURAL GAS CO.

ORDER FIXING DATE OF HEARING

JANUARY 15, 1952.

On November 20, 1951, El Paso Natural Gas Company (Applicant), a Delaware corporation having its principal place of business at El Paso, Texas, filed an application as supplemented on December 17, 1951, for a certificate of

public convenience and necessity, pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of certain natural-gas facilities and the sale of natural gas, subject to the jurisdiction of the Commission, as described in tthe application on file with the Commission and open to public inspection.

The Commission finds: This proceeding is a proper one for disposition under the provisions of § 1.32 (b) (18 CFR 1.32 (b)) of the Commission's rules of practice and procedure, Applicant having requested that its application be heard under the shortened procedure provided by the aforesaid rule for noncontested proceedings, and no request to be heard, protest or petition having been filed subsequent to the giving of due notice of the filing of the application, including publication in the Federal Reg-ISTER on December 8, 1951 (16 F. R. 12406).

The Commission orders:
(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, as amended, and the Commission's rules of practice and procedure, a hearing be held on February 4, 1952, at 9:45 a.m., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Ayenue NW., Washington, D. C., concerning the matters involved and the issues presented by such application: Provided, however, That the Commission may, after a noncontested hearing, forthwith dispose of the proceeding pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

(B) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the said rules of practice and procedure.

Date of issuance: January 15, 1952.

By the Commission.

[SEAL]

LEON M. FUQUAY, Secretary.

[F. R. Doc. 52-738; Filed, Jan. 18, 1952; 8:47 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Change List No. 13]

DOMINICAN REPUBLIC BROADCAST STATIONS

LIST OF CHANGES, PROPOSED CHANGES AND CORRECTIONS IN ASSIGNMENTS

DECEMBER 27, 1951.

Notifications under the provisions of Part III, section 2, of the North American Regional Broadcasting Agreement.

List of changes, proposed changes, and corrections in assignments of Dominican Republic Broadcast Stations modifying appendix containing assignments of Dominican Republic Broadcast Stations (mimeograph 47214–2) attached to the recommendations of the North American Regional Broadcasting Agreement Engineering Meeting, January 30, 1941,

DOMINICAN REPUBLIC

Call letters	Location	Power	Time desig- nation	Radia- tion	Class	Probable date to commence operation
HI40	San Francisco de Macoris, 19°18' N-70°15' W.	1240 kilocycles, 1.0 kw- D/0.1 kw-N (change in	ND	ซ	111-1V	Fob. 1, 1952
HI4B	Santiago de los Caballeros, 19°28' N-70°42' W.	location from La Romana) 1380 kilocycles, 0.5 kw (change in location from La Romana).	-ND	ซ	111	Do,

NOTE BY FCC: The frequency indicated for HI4O is apparently in error. NARBA, 1950, and other available lists show this station on 1250 kilocycles.

-[SEAL] .

FEDERAL COMMUNICATIONS COMMISSION. T. J. SLOWIE, Secretary.

[F. R. Doc. 52-739; Filed, Jan. 18, 1952; 8:47 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-2776]

. NIAGARA MOHAWK POWER CORP.

NOTICE OF PROPOSED ACQUISITION OF SE-CURITIES OF A PUBLIC UTILITY COMPANY

JANUARY 15, 1952.

Notice is hereby given that an application has been filed with this Commission pursuant to the provisions of the Public Utility Holding Company Act of 1935 ("act") by Niagara Mohawk Power Corporation ("Niagara Mohawk"), an exempt holding company and a public utility company. Applicant has designated sections 9 (a) (2) and 10 of the act as applicable to the proposed transaction.

Notice is further given that any interested person may, not later than January 23, 1952, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest and the issues of fact or law raised by said application, which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after January 23, 1952, said application, as filed or as it may be amended, may be granted as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transaction as provided in Rule U-20 (a) and Rule U-100 thereof.

All interested persons are referred to said application, which is on file in the offices of this Commission, for a statement of the transaction therein proposed, which is summarized as follows:

Niagara Mohawk now owns 1,533 shares of common stock and 464.5 shares of preferred stock of Beebee Island Corporation ("Beebee") amounting to 22 percent of the voting securities of such company. Beebee owns and operates a hydro-electric power plant on the Black River in Watertown, New York, in an. area in which Niagara Mohawk renders electric-service. Beebee was organized by the owners of water power sites on Beebee Island to develop the water power. The water power thus developed has and continues to be made available to the Beebee stockholders in direct proportion to their stock holdings. All of the energy generated by the Beebee plant is delivered to Niagara Mohawk for distribution to Beebee's stockholdercustomers. Niagara Mohawk proposes to acquire an additional 4,028 shares of common stock and 1,235 shares of preferred stock of Beebee, held by New York Air Brake Company, the aggregate of such shares representing approximately 58 percent of Beebee's outstanding voting securities. Niagara Mohawk also proposes to acquire from New York Air Brake Company its interest in 217 shares of the common stock and 5 shares of preferred stock of Beebee owned of record by New York Air Brake Company and assigned to the City of Watertown, representing approximately 2 percent of Beebee's capital stock, and New York Air Brake Company's interest in a lease between New York Air Brake Company and the City of Watertown dated November 16, 1949, such acquisitions being subject to obtaining from the City of Watertown whatever consent may be necessary. Upon completion of the transaction Niagara Mohawk will be entitled to approximately 82 percent of the power output of Beebee. In consideration for the transfer by New York Air Brake Company of all its interest in Beebee, Niagara Mohawk will pay the sum of \$510,000 to New York Air Brake Company.

The application states that Niagara Mohawk is willing to purchase the remaining capital stock of Beebee upon similar terms, and hopes to be able to acquire such stock so as to eliminate Beebee's corporate existence and absorb its plant into Niagara Mohawk's works and

The application states that no other regulatory authority has jurisdiction over the proposed transaction. Applicant requests that the order of the Commission herein be entered not later than January 25, 1952, and that it become effective upon issuance.

By the Commission.

ORVAL L. DUBOIS, [SEAL] Secretary.

[F. R. Doc. 52-729; Filed, Jan. 18, 1952; 8:46 a. m.]

HOUSING AND HOME FINANCE AGENCY

Public Housing Administration

CENTRAL OFFICE

ORGANIZATION AND FINAL DELEGATION OF AUTHORITY TO OFFICIALS

Section II, Central Office organization and final delegations of authority to Central Office officials, is amended as

Paragraph d 1 (m) is amended as

(m) To execute and terminate leases for commercial facilities and to execute and terminate leases, agreements, and use permits for noncommercial facilities.

Date approved: January 11, 1952.

[SEAL]

JOHN TAYLOR EGAN, Commissioner.

[F. R. Doc. 52-727; Filed, Jan. 18, 1952; 8:46 a. m.]

FIELD OFFICE

ORGANIZATION AND FINAL DELEGATION OF AUTHORITY TO OFFICIALS

Section III, Field Office organization and final delegation of authority to Field Office officials, is amended as follows:

Paragraph 6 (j) is amended as fol-

(j) To execute and terminate leases, for commercial facilities and to execute and terminate leases, agreements, and use permits for noncommercial facilities.

Date approved: January 11, 1952.

[SEAL]

JOHN TAYLOR EGAN, Commissioner.

[F. R. Doc. 52-728; Filed, Jan. 18, 1952; 8:46 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

[Vesting Order 18710]

SCHERING A. G.

In re: Rights and Interests of Schering A. G., of Berlin, Germany, in Trademarks of Schering Corporation.

Under the authority of the Trading With the Enemy Act, as amended (50 U.S. C. App. and Sup. 1-40); Public Law 181, 82d Congress, 65 Stat. 451; Executive Order 9193, as amended by Executive Order 9585, as amended by Executive Order 95867 (3 CFR, 1943 Cum. Supp.); 3 CFR, 1945 Supp.); Executive Order 9788 (3 CFR, 1946 Supp.); and Executive Order 9989 (3 CFR, 1948 Supp.), and pursuant to law, after investigation, it is hereby found:

1. That Schering A. G., the last known address of which is Berlin, Germany, is a corporation, partnership, association, or other business organization which on or since December 11, 1941, and prior to January 1, 1947, was organized under the laws of and had its principal place of business in Germany and is, and prior to January 1, 1947 was, a national of a

designated enemy country (Germany);
2. That the property described as follows: All right, title and interest, if any, of whatsoever kind or nature, including without limitation any reversionary interest, under the statutory or common law of the United States and of the several states thereof, of Schering A. G., its successors or assigns, in and to any and all goodwill of the business in the United States of Schering Corporation, a corporation organized under the laws of New Jersey, and in and to any and all registered or unregistered trade-marks and tradenames appurtenant to such business, and in and to every license, agreement, privilege, power and right of whatsoever kind of nature arising under or with respect thereto.

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of-or on account of, or owing to, or which is evidence of ownership or control by, Schering A. G., the aforesaid national of a designated enemy country (Germany);

and it is hereby determined: 3. That the national interest of the United States requires that said Schering A. G. be treated as a corporation which is and prior to January 1, 1947, was a national of a designated enemy

country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest.

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 15, 1952.

For the Attorney General.

HAROLD I. BAYNTON, Assistant Attorney General, Director, Office of Alien Property.

[F. R. Doc. 52-742; Filed, Jan. 18, 1952; 8:48 a. m.]

ADRIEN CHARLES HUMBERT

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Adrien Charles Humbert, Tokyo, Japan; Claim No. 59375; \$25,596.09 in the Treasury of the United States.

Executed at Washington, D. C., on January 15, 1952.

For the Attorney General.

HAROLD I. BAYNTON, Assistant Attorney General, Director, Office of Alien Property. [F. R. Doc. 52-743; Filed, Jan. 18, 1952; 8:48 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 28700]

MOTOR-RAIL-MOTOR RATES BETWEEN SPRINGFIELD, MASS., AND HARLEM RIVER, . N. Y.

APPLICATION FOR RELIEF

JANUARY 16, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: The New York, New Haven and Hartford Railroad Company and Farer Transportation Co.

Commodities involved: All commodities.

Between: Springfield, Mass., and Harlem River, N. Y.

Grounds for relief: Competition with

motor carriers. Any interested person desiring the

Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investi-gate and determine the matters involved in such application without further or . formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL]

W. P. BARTEL, Secretary.

[F. R. Doc. 52-732; Filed, Jan. 18, 1952; 8:47 a. m.]

[4th Sec. Application 26701]

MOTOR-RAIL-MOTOR RATES BETWEEN MASSACHUSETTS, CONNECTICUT, AND NEW YORK

APPLICATION FOR RELIEF

JANUARY 16, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-shorthaul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: The New York, New Haven and Hartford Railroad Company and B & E Transportation Corp.

Commodities involved: All commodi-

Between: Boston, Mass., New Haven, Conn., or Springfield, Mass., on the one hand, and Harlem River, N. Y., on the other.

Grounds for relief: Competition with

motor carriers.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL]

W. P. BARTEL. Secretary.

[F. R. Doc. 52-733; Filed, Jan. 18, 1952; 8:47 a. m.].

[4th Sec. Application 26702]

MOTOR-RAIL-MOTOR RATES BETWEEN SPRINGFIELD, MASS., AND HARLEM RIVER, N.Y.

APPLICATION FOR RELIEF

JANUARY 16, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-shorthaul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: The New York, New Haven and Hartford Railroad Company and Goodman's New York and Connecticut Express Corp.

Commodities involved: All commodities.

Between: Springfield, Mass., and Harlem River, N. Y.

Grounds for relief: Competition with

motor carriers.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission. in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing,

upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

W. P. BARTEL, Secretary.

[F. R. Doc. 52-734; Filed, Jan. 18, 1952; - 8:47 a. m.]

[4th Sec. Application 26703]

ASBESTOS FIBRE FROM VERMONT TO BATON ROUGE AND NORTH BATON ROUGE, LA.

APPLICATION FOR RELIEF

JANUARY 16, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-shorthaul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: F. C. Kratzmeir, Agent, for carriers parties to Agent I. N. Doe's tariff I. C. C. No. 610, pursuant to fourth-

section order No. 16101.

Commodities involved: Asbestos fibre, asbestos waste, shorts or refuse, carloads. From: East Alburgh, Hyde Park, Mor-

risville, Newport, and Norton, Vt.
To: Baton Rouge and North Baton

Rouge, La.

Grounds for relief: Circuitous routes and operation through higher-rated territory.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL]

W. P. BARTEL, Secretary.

[F. R. Doc. 52-735; Filed, Jan. 18, 1952; 8:47 a. m.]

[4th Sec. Application 26704]

CEMENT FROM MOBILE, ALA., TO WOODRUFF, FLA.

APPLICATION FOR RELIEF

JANUARY 16, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-shorthaul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: The Louisville and Nashville Railroad Company.

Commodities involved: Cement, carloads.

From: Mobile, Ala. To: Woodruff, Fla.

Grounds for relief: Competition with water carriers.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] ~

W. P. BARTEL, Secretary.

[F. R. Doc. 52-736; Filed, Jan. 18, 1952; 8:47 a. m.]

[Rev. S. O. 562, King's I. C. C. Order 59]
SOUTHERN PACIFIC CO.

REROUTING OR DIVERSION OF TRAFFIC

In the opinion of Homer C. King, Agent, the Southern Pacific Company, because of severe snow storm, is unable to transport traffic routed over its line between Roseville, California, and Sparks, Nevada. It is ordered, That:

(a) Rerouting traffic: The Southern Pacific Company is hereby authorized to reroute or divert traffic on its line, routed over its line between Rosaville, California, and Sparks, Nevada, over any available route to expedite the movement. The billing covering all such cars rerouted shall carry a reference to this order as authority for the rerouting.

(b) Concurrence of receiving roads to be obtained: The railroad named, desiring to divert or reroute traffic over the line or lines of another carrier under this order, shall confer with the proper transportation officer of the railroad or railroads to which such traffic is to be diverted or rerouted, and shall receive the concurrence of such other railroads before the rerouting or diversion is ordered.

(c) Notification to shippers: The carrier rerouting cars in accordance with this order shall notify each shipper at the time each car is rerouted or diverted and shall furnish to such shipper the new routing provided under this order.

(d) Inasmuch as the diversion or rerouting of traffic by said Agent is deemed to be due to carrier's disability, the rates applicable to traffic diverted or rerouted by said Agent shall be the rates which were applicable at the time of shipment on the shipments as originally routed.

(e) In executing the directions of the Commission and of such Agent provided

for in this order, the common carriers involved shall proceed even though no contracts, agreements, or arrangements now exist between them with reference to the division of the rates of transportation applicable to said traffic; divisions shall be, during the time this order remains in force, those voluntarily agreed upon by and between said carriers; or upon failure of the carriers to so agree, said divisions shall be those hereafter fixed by the Commission in accordance with partinent authority conferred upon it by the Interstate Commerce Act.

(f) Effective date: This order shall become effective at 12:01 p. m., January 14, 1952.

(g) Expiration date: This order shall expire at 11:59 p. m., January 24, 1952, unless otherwise modified, changed, suspended or annulled.

It is further ordered, That this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., January 14, 1952.

Interstate Collierce Collission, Homer C. King, Agent.

[F. R. Doc. 52-737; Filed, Jan. 18, 1952; 8:47 a. m.]

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